



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

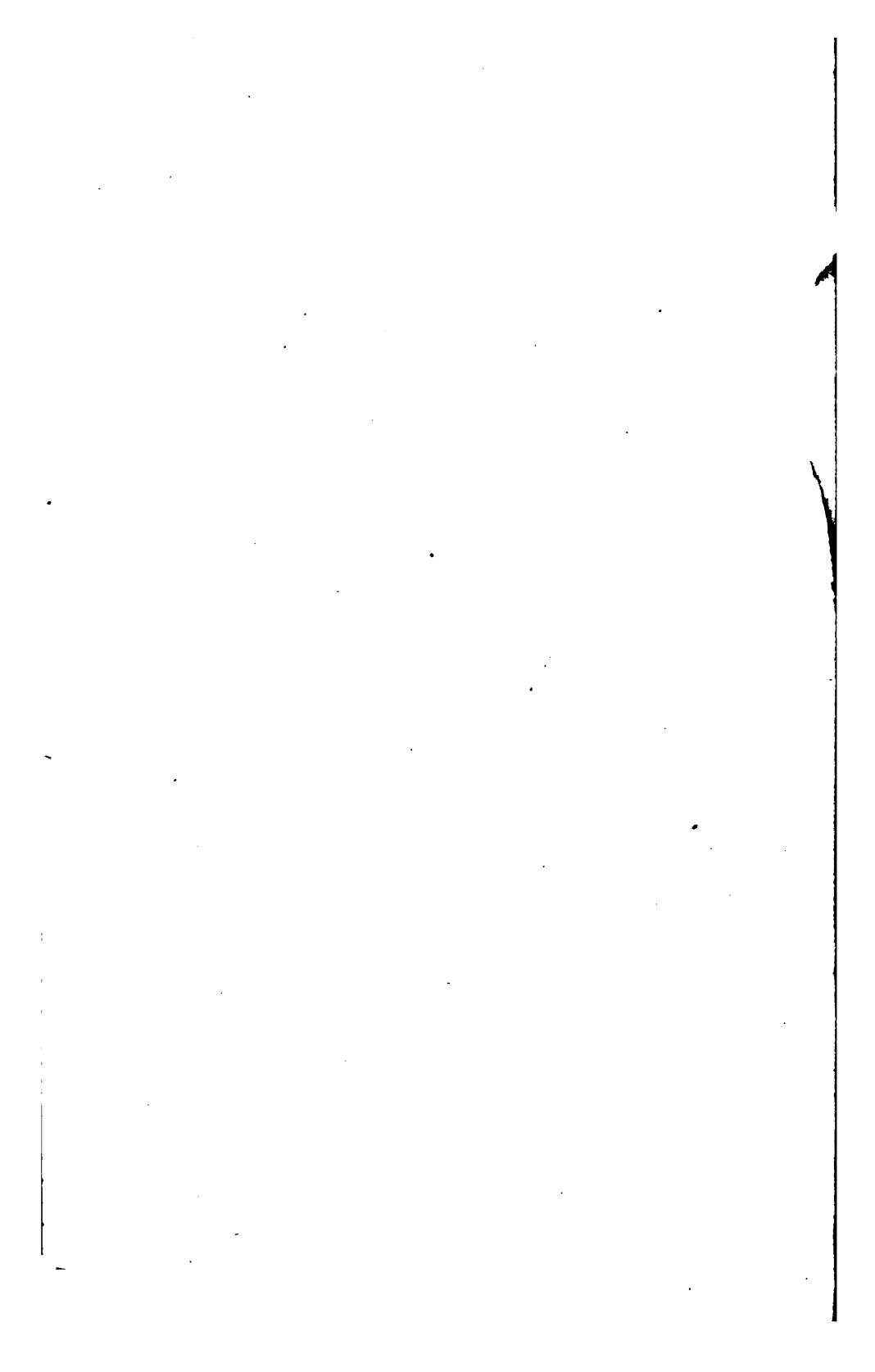
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

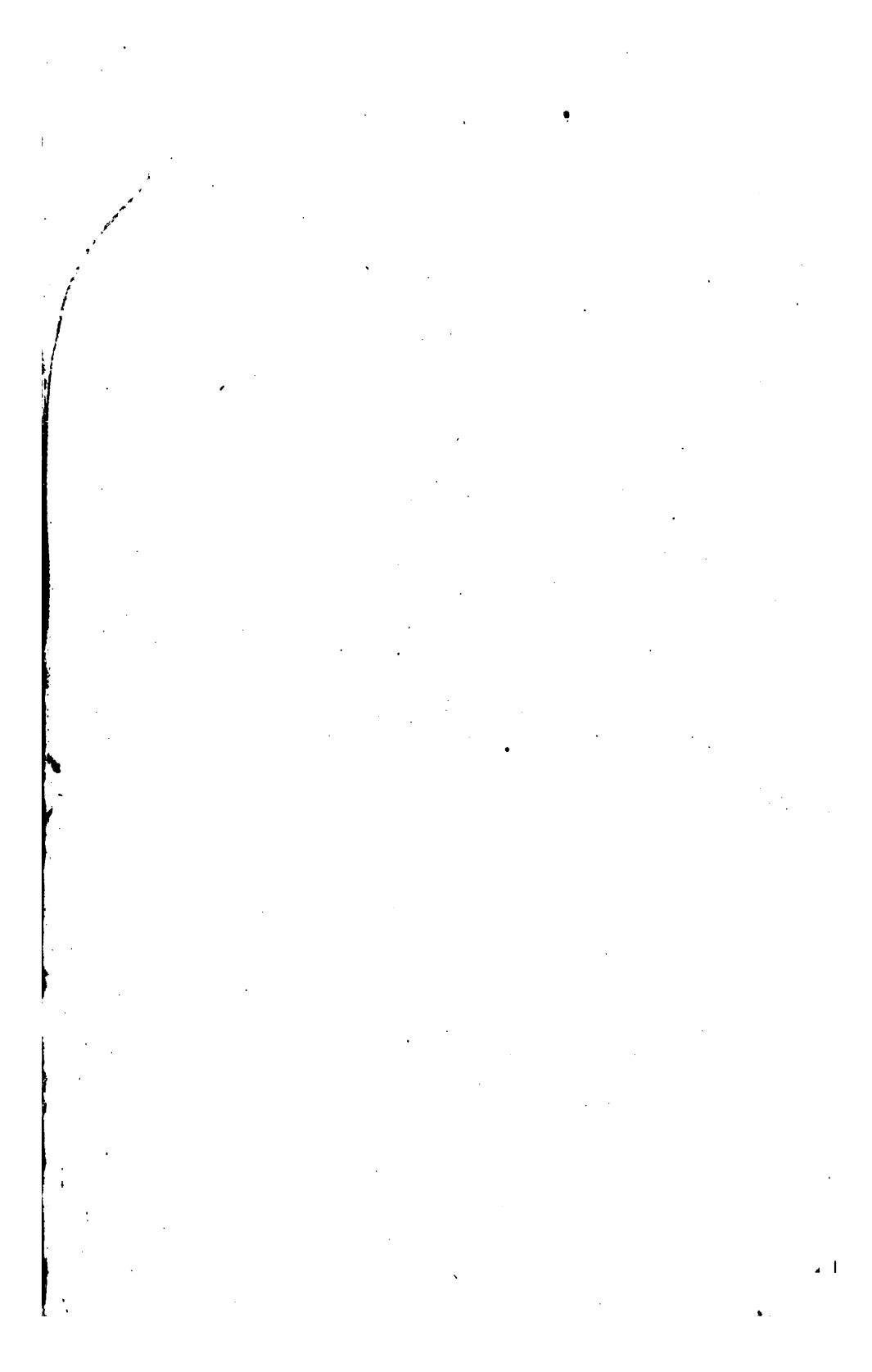
We also ask that you:

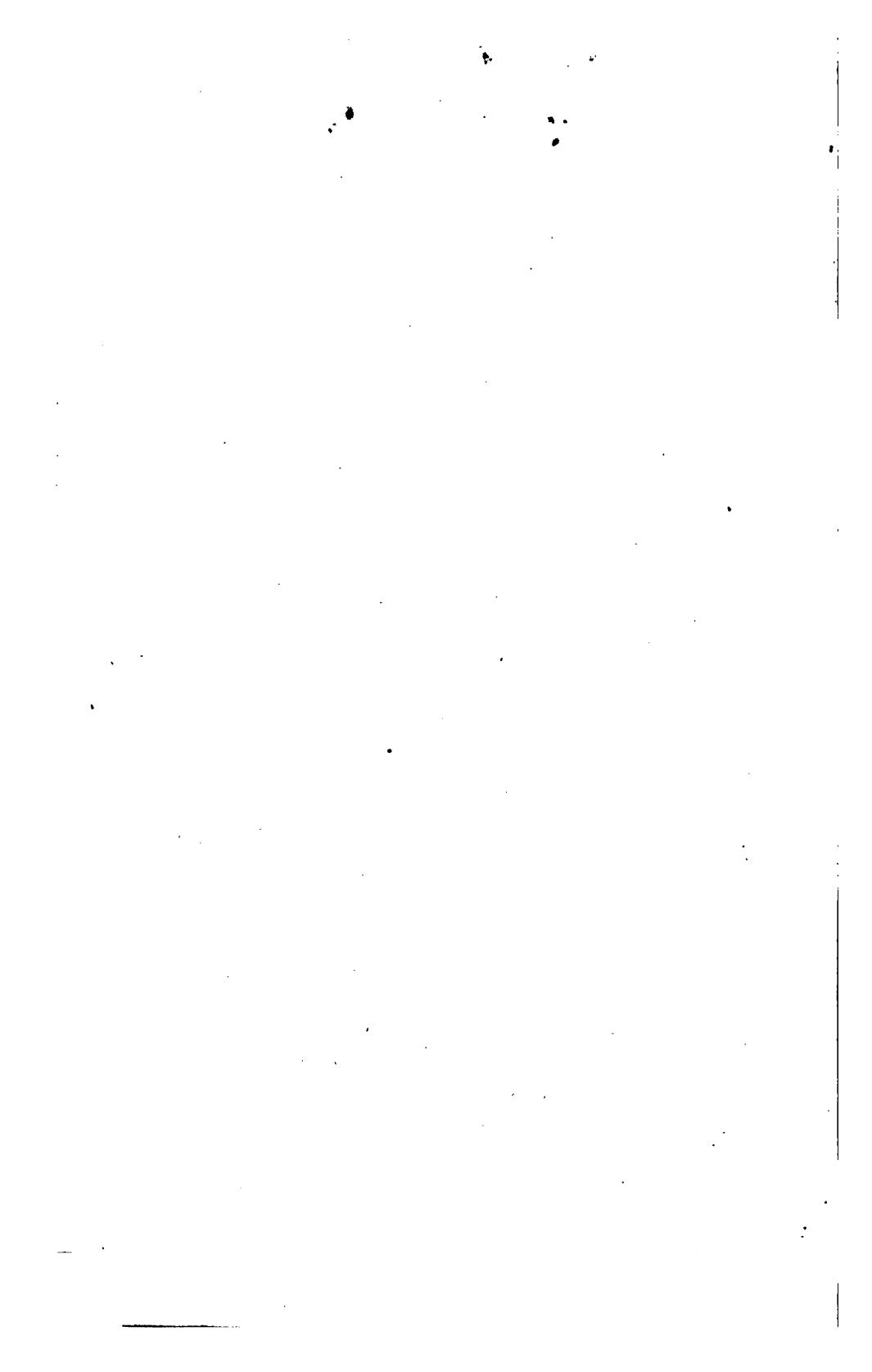
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>







HISTORICAL MEMOIRS  
OF THE  
*ENGLISH, IRISH, AND SCOTTISH*  
**CATHOLICS,**  
SINCE THE REFORMATION;  
WITH  
A SUCCINCT ACCOUNT OF THE PRINCIPAL EVENTS IN THE  
ECCLESIASTICAL HISTORY OF THIS COUNTRY  
ANTECEDENT TO THAT PERIOD,  
AND IN THE HISTORIES OF THE ESTABLISHED CHURCH,  
AND THE DISSENTING AND EVANGELICAL CONGREGATIONS;  
AND SOME  
HISTORICAL MINUTES RESPECTING THE TEMPORAL POWER  
OF THE POPES; THE SEPARATISTS FROM THE CHURCH  
OF ROME BEFORE THE REFORMATION; THE SOCIETY  
OF JESUS; AND THE GUELPHIC FAMILY.

---

By CHARLES BUTLER, Esq.  
OF LINCOLN'S-INN.

---

IN FOUR VOLUMES:

VOL. III.

---

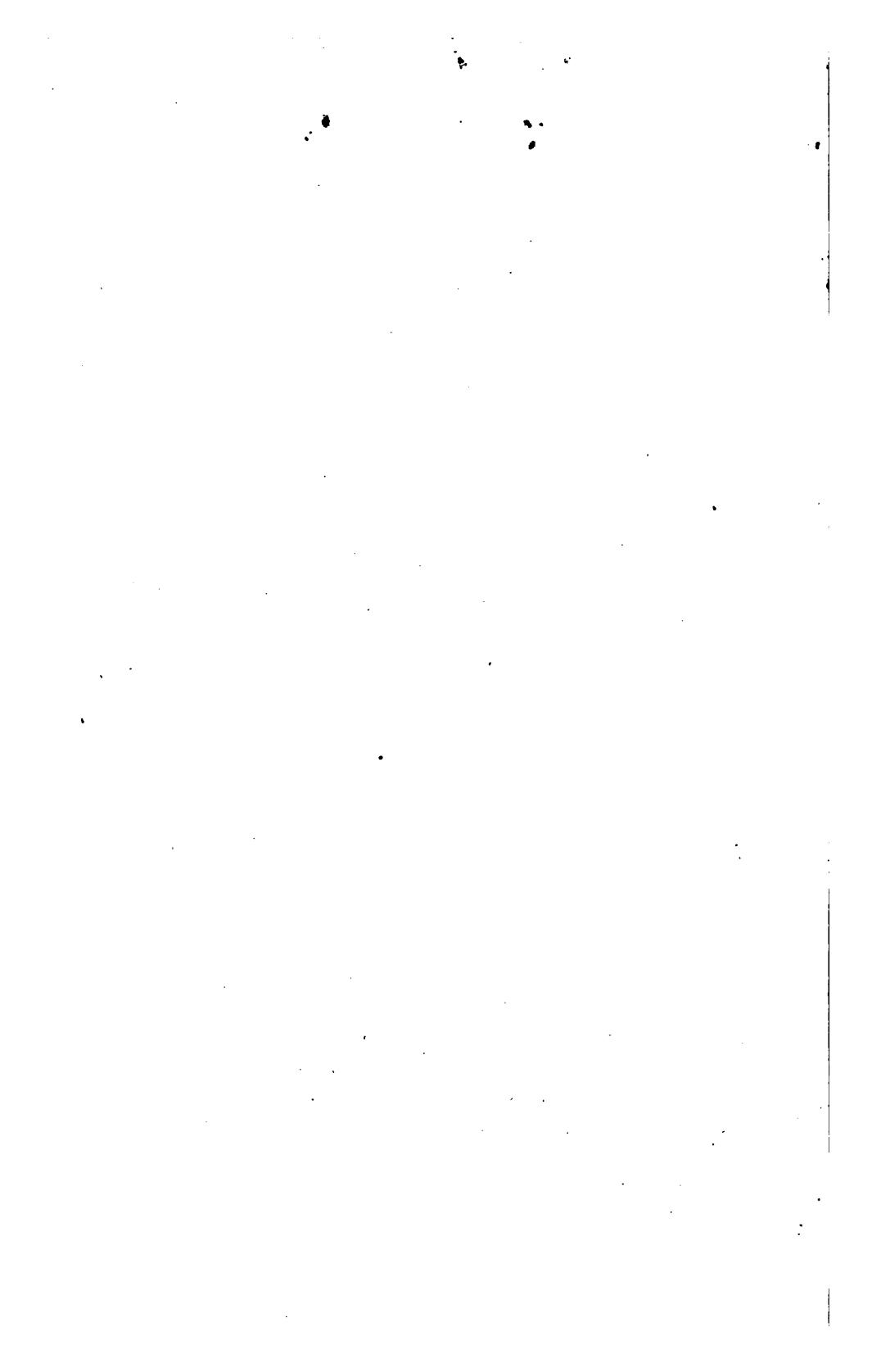
THIRD EDITION,

CORRECTED, REVISED, AND CONSIDERABLY AUGMENTED.

---

LONDON:  
JOHN MURRAY, ALBEMARLE-STREET.

1822.



HISTORICAL MEMOIRS  
OF THE  
*ENGLISH, IRISH, AND SCOTTISH*  
**CATHOLICS,**  
SINCE THE REFORMATION;  
WITH  
A SUCCINCT ACCOUNT OF THE PRINCIPAL EVENTS IN THE  
ECCLESIASTICAL HISTORY OF THIS COUNTRY  
ANTECEDENT TO THAT PERIOD,  
AND IN THE HISTORIES OF THE ESTABLISHED CHURCH,  
AND THE DISSENTING AND EVANGELICAL CONGREGATIONS;  
AND SOME  
HISTORICAL MINUTES RESPECTING THE TEMPORAL POWER  
OF THE POPES; THE SEPARATISTS FROM THE CHURCH  
OF ROME BEFORE THE REFORMATION; THE SOCIETY  
OF JESUS; AND THE GUELPHIC FAMILY.

---

By CHARLES BUTLER, Esq.  
OF LINCOLN'S-INN.

---

IN FOUR VOLUMES:

VOL. III.

---

THIRD EDITION,

CORRECTED, REVISED, AND CONSIDERABLY AUGMENTED.

---

LONDON:  
JOHN MURRAY, ALBEMARLE-STREET.

1822.

33  
1492  
B.78  
1522  
V.2

Quare quis tandem me reprehendat, si quantum cæteris ad festos dies  
iudorum celebrandos, quantum ad alias voluptates, et ad ipsam requiem  
animæ et corporis conceditar temporis: quantum alii tempestivis convivis,  
quantum alee, quantum pile, tantum mihi egomet, ad hæc studia reco-  
lenda, sumpsero.

CIC. PRO. ABORIA.

Le changement d'étude est toujours un delassement pour moi.

D'AGUINSSBAU.

Director  
Harding

( iii )

4-22-52  
78172

## CONTENTS

OF

### VOLUME THE THIRD.

---

#### CHAP. LXIV.

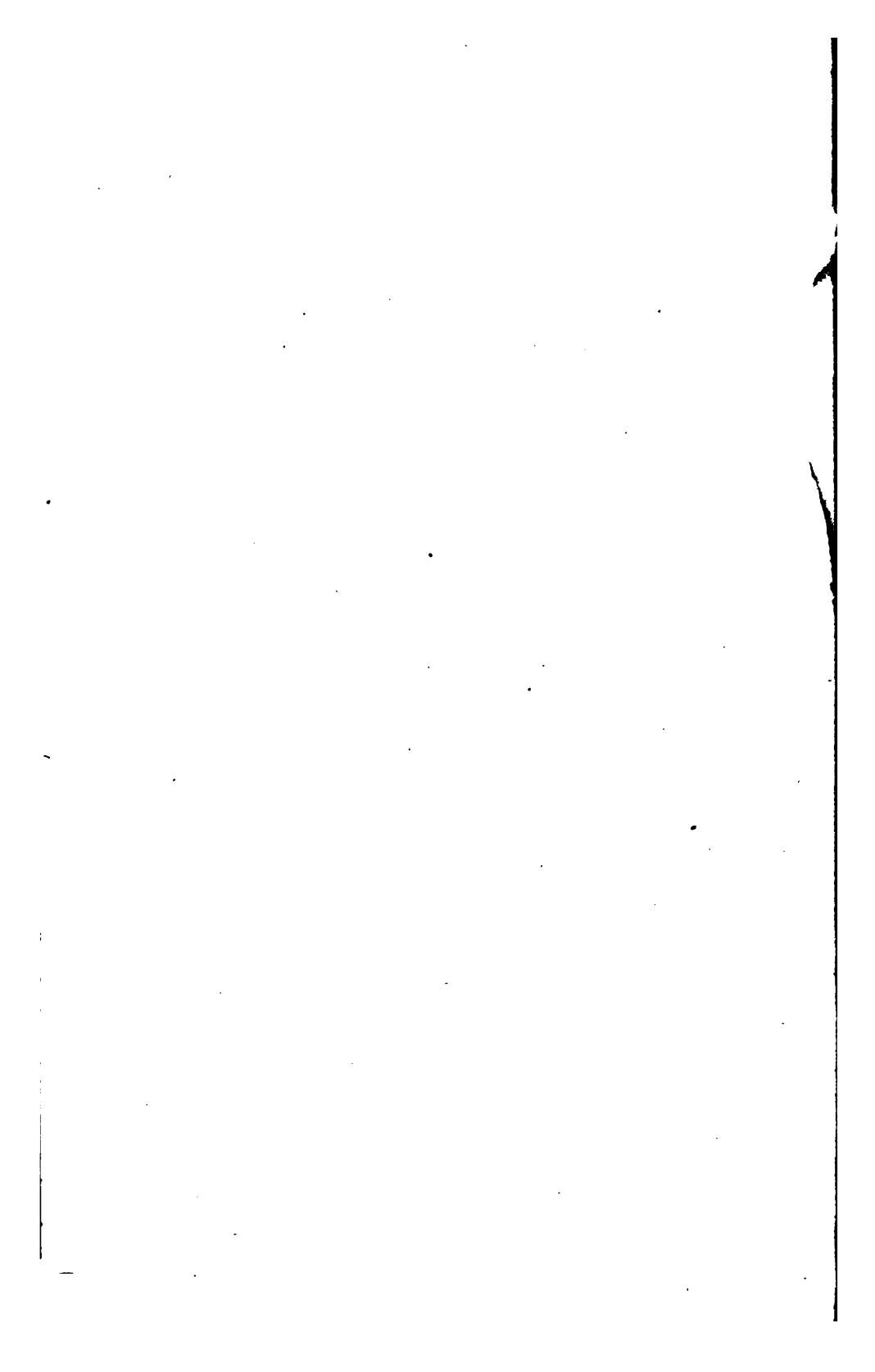
*Charles the Second—Commencement of his Reign—Declaration  
at Breda—Persecution of the Protestant Dissenters* · page 1  
1660.

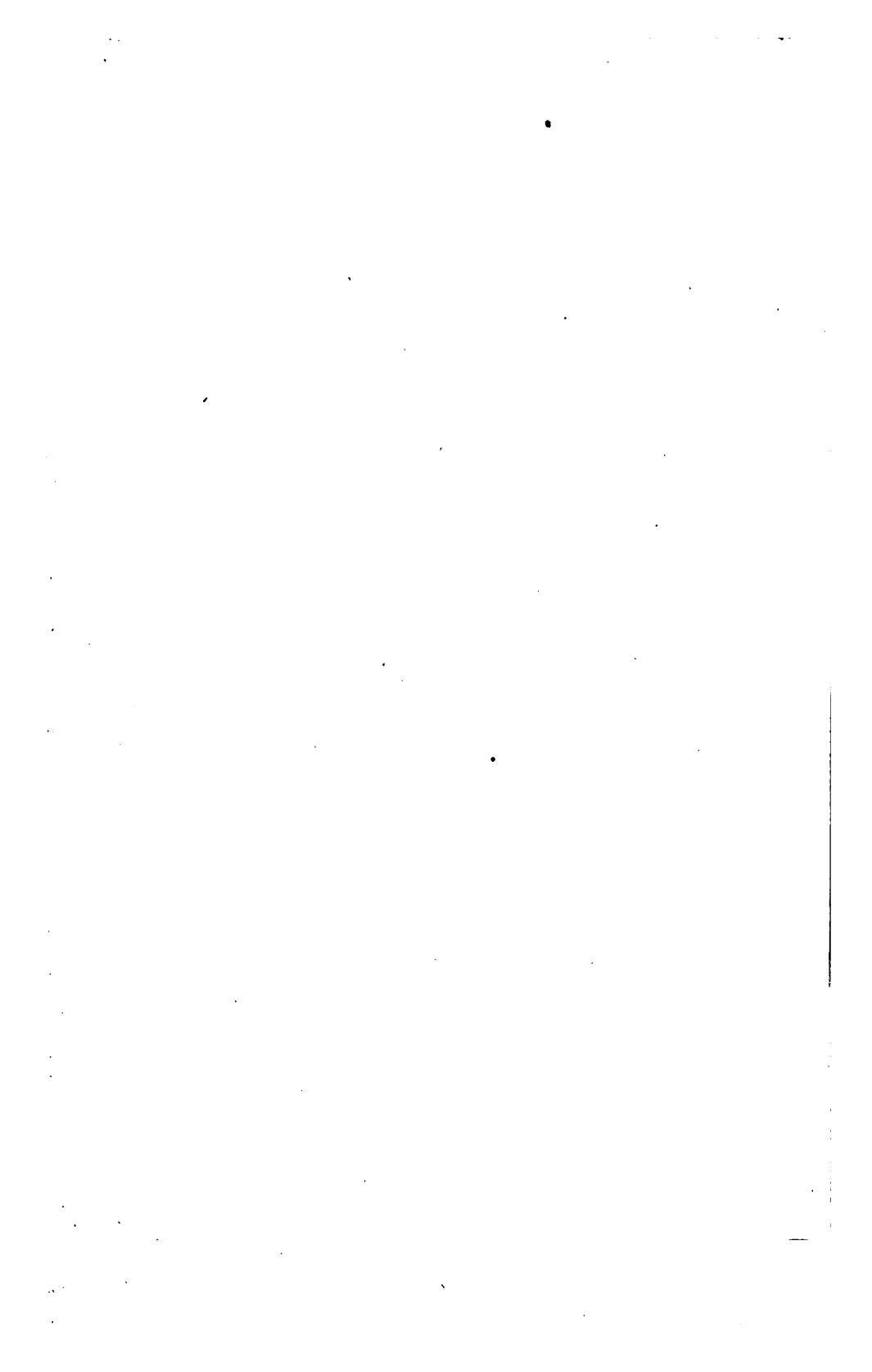
#### CHAP. LXV.

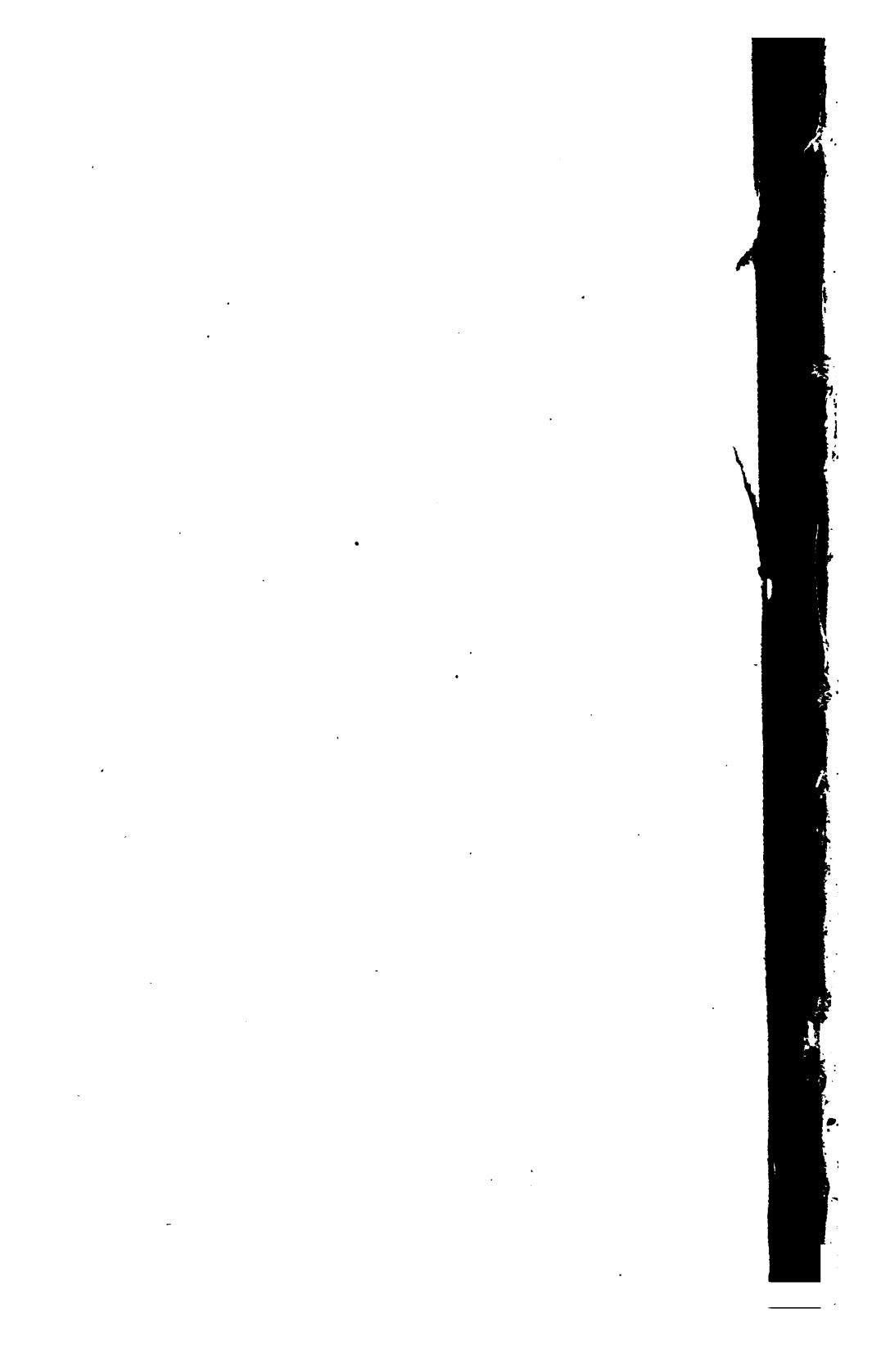
*Addresses of the English Catholics on the Accession of Charles  
the Second—First Proceedings in their regard—Fire of  
London—Oates's Plot* · · · · · 22

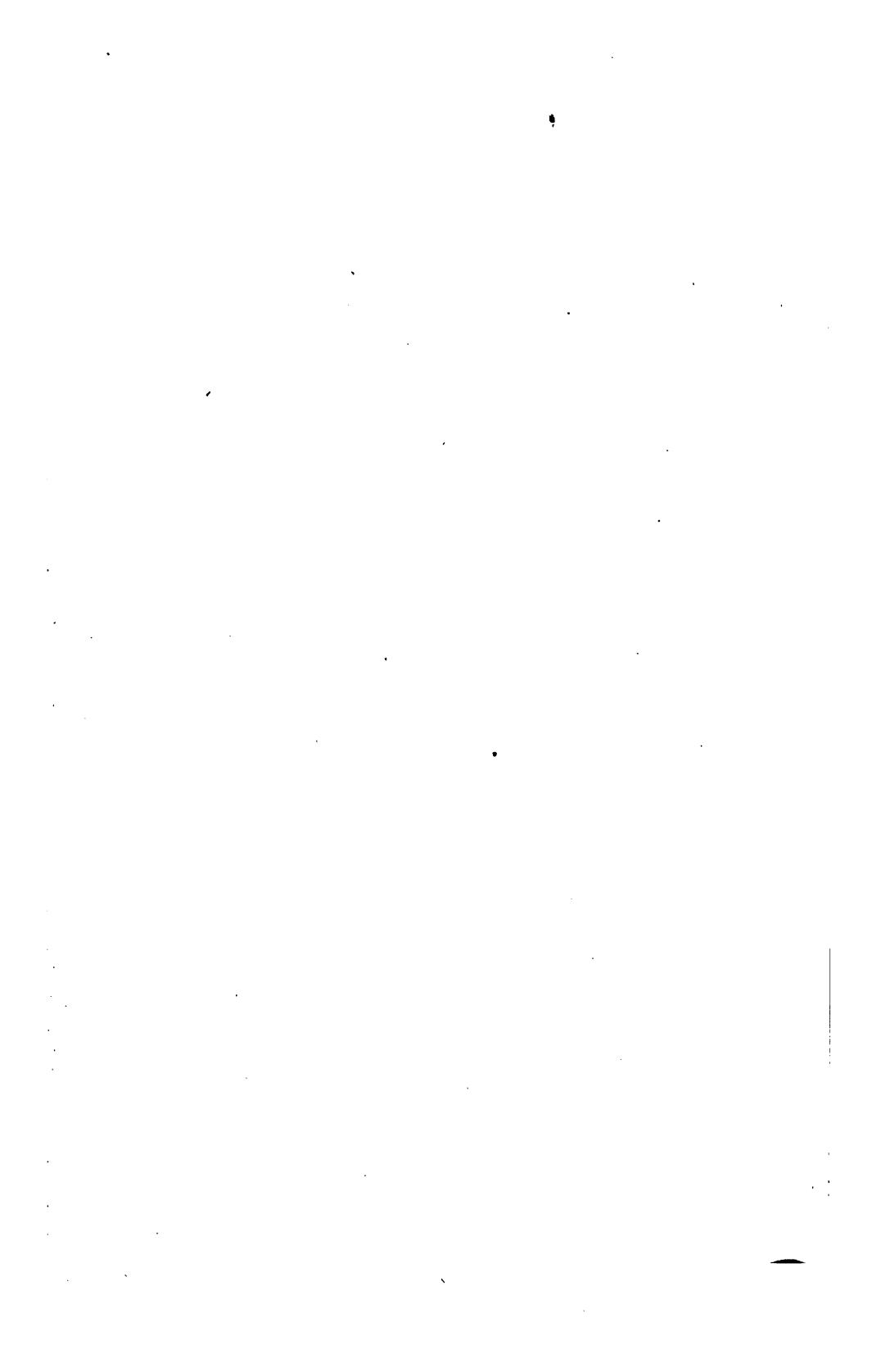
1.—Addresses presented by the English Catholics on the Restoration of Charles the Second	23
2.—Proceedings in Parliament upon the Catholic Ad- dresses	34
3.—The Fire of London	45
1666.	
4.—Lord Castlemain's Apology for the Catholics	47
5.—Oates's Plot	61
6.—The Act disabling Peers from sitting and voting in the House of Lords	75
1677.	

7.—Summary review, by a Protestant Writer, of the  
religious Persecutions in England, from the Re-  
formation till the end of the reign of Charles the  
Second.—General reflections on them · · 76.











HISTORICAL MEMOIRS  
OF THE  
*ENGLISH, IRISH, AND SCOTTISH*  
**CATHOLICS,**  
SINCE THE REFORMATION;  
WITH  
A SUCCINCT ACCOUNT OF THE PRINCIPAL EVENTS IN THE  
ECCLESIASTICAL HISTORY OF THIS COUNTRY  
ANTECEDENT TO THAT PERIOD,  
AND IN THE HISTORIES OF THE ESTABLISHED CHURCH,  
AND THE DISSENTING AND EVANGELICAL CONGREGATIONS;  
AND SOME  
HISTORICAL MINUTES RESPECTING THE TEMPORAL POWER  
OF THE POPES; THE SEPARATISTS FROM THE CHURCH  
OF ROME BEFORE THE REFORMATION; THE SOCIETY  
OF JESUS; AND THE GUELPHIC FAMILY.

---

By CHARLES BUTLER, Esq.  
OF LINCOLN'S-INN.

---

ΦΩΝΑΝΤΑ ΕΠΙΕΙΚΕΣΙ.

---

IN FOUR VOLUMES:  
VOL. III.

---

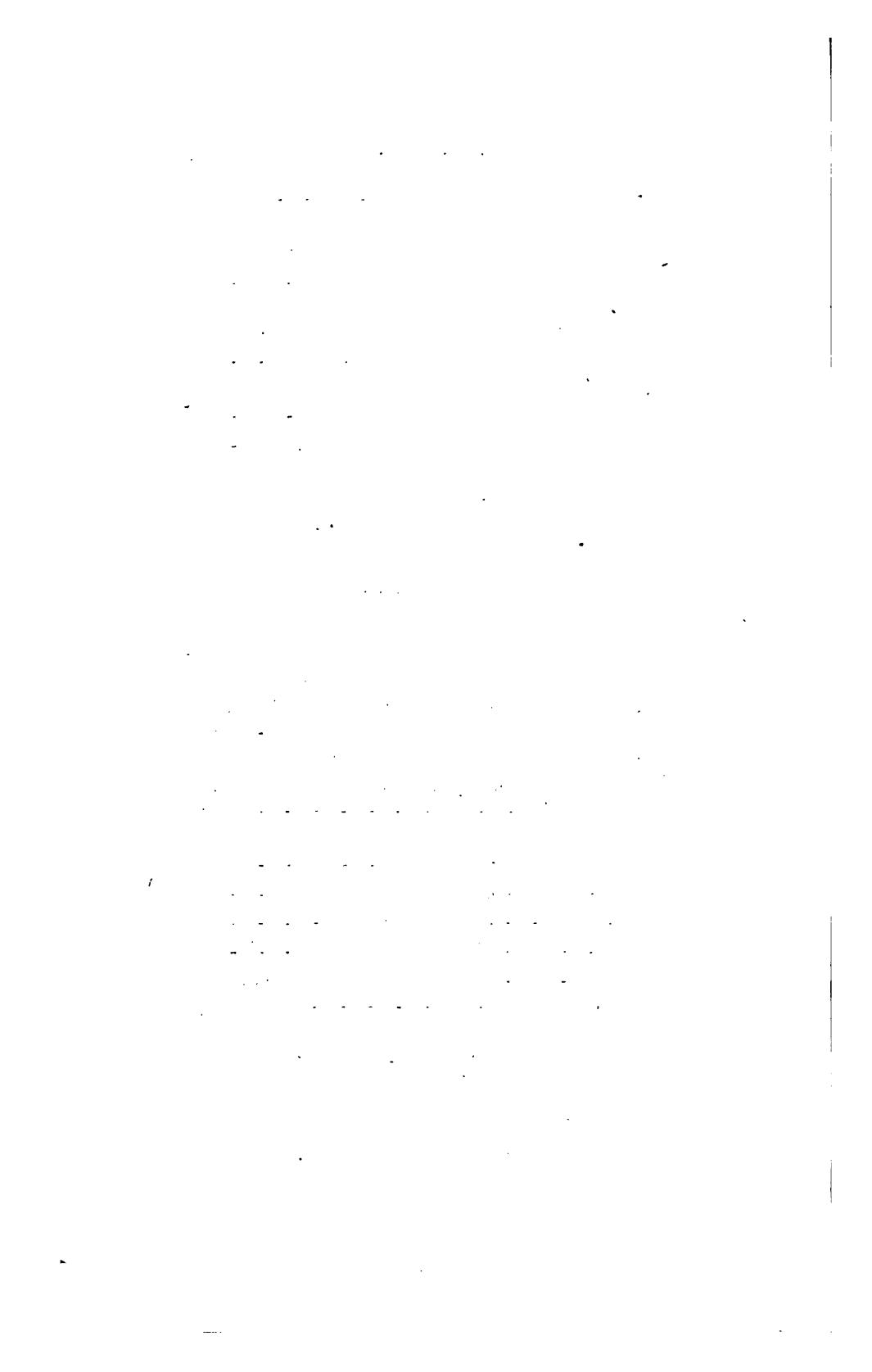
THIRD EDITION,  
CORRECTED, REVISED, AND CONSIDERABLY AUGMENTED.

---

LONDON:  
JOHN MURRAY, ALBEMARLE-STREET.

---

1822.



APPENDIX.

---

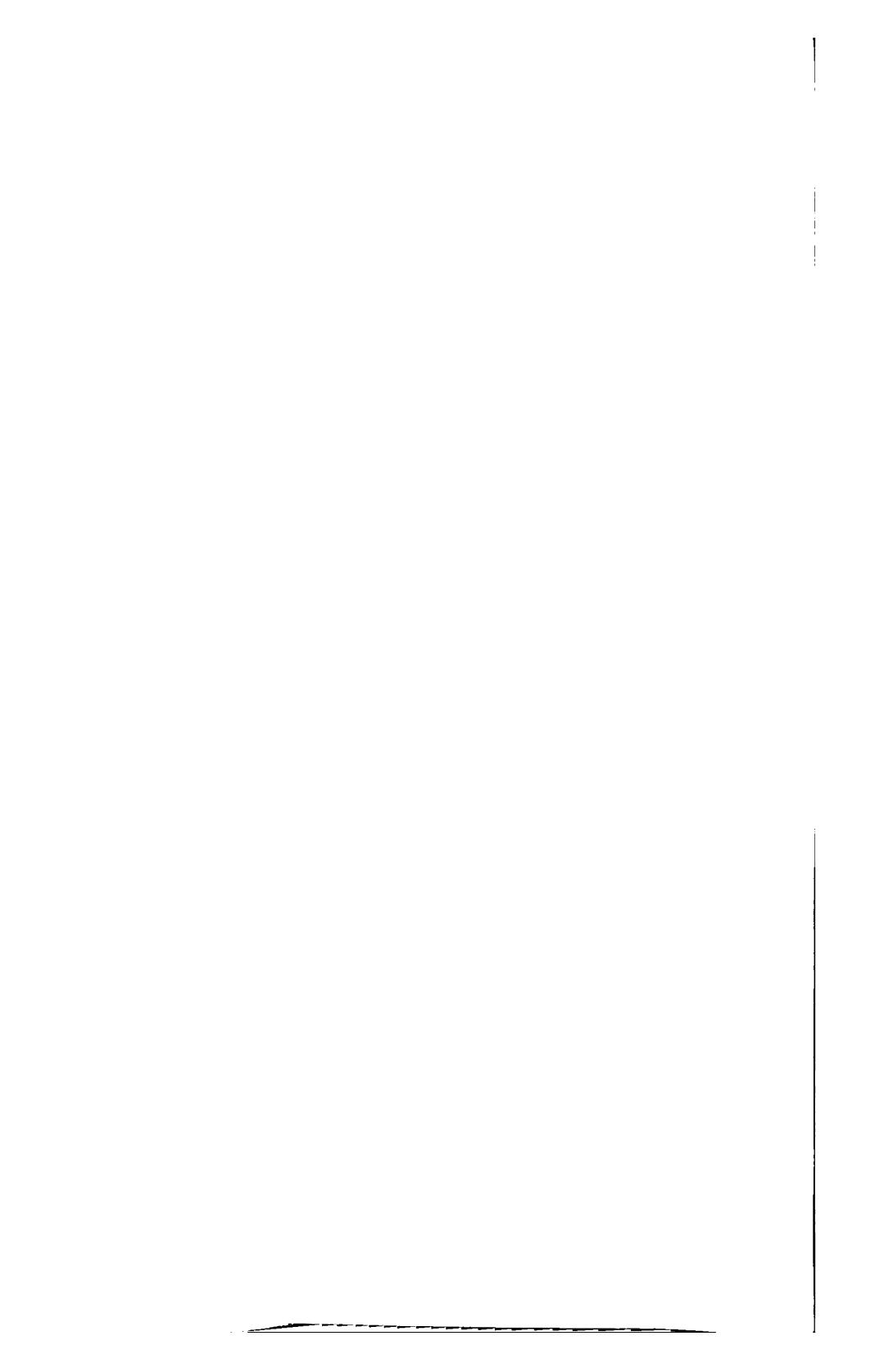
NOTE I. referred to in page 70.

*On the Tract intituled, "Roman Catholic Principles in reference to God and the King" - - - - - page 493*

NOTE II. referred to in page 192.

*The Symbol of Pius the Fourth - - - - - 510*

---



HISTORICAL MEMOIRS  
OF THE  
*ENGLISH CATHOLICS,*  
*&c.*  
SINCE THE  
REFORMATION.

---

CHAP. LXIV.

CHARLES THE SECOND.

COMMENCEMENT OF HIS REIGN.—DECLARATION  
AT BREDA.—PERSECUTION OF THE PROTEST-  
ANT DISSENTERS.

1660.

THE events which led to the restoration of Charles, or the means, by which it was accomplished, are foreign to the subject of these pages: it is sufficient to observe, that the nation was divided, at that time, into three religious parties, the roman-catholics, the members of the established church, and the dissenters: the last comprised the presbyterians, the independents, and the anabaptists. In the progress of this history, we shall have

occasion to show, that the three last came by degrees to differ from each other, in little more than in name; but, at the time of which we are now speaking, the differences, which we have noticed both in their doctrine and discipline, were real and substantial\*. All parties were reconciled to the king, and vied in demonstrations of affection towards him: but no party was reconciled to any other.

His majesty's declaration at Breda, was just, wise, and conciliating. The promise, which it contained, of oblivion of past offences, would, perhaps, have been more judicious, if it had been without any qualification. It is obvious, that no qualification, however carefully expressed, would hinder the application of it from being arbitrary in many instances, or prevent the unavoidable generality of its terms from occasioning alarm in a multitude of persons, whom it was not intended to affect, and from thus keeping alive, for a length of time, those jealousies, which it was so much the interest and wish of government to compose. Still the declaration was free from substantial objection: the religious toleration, which it held out, was complete, and the terms, in which it was expressed, were unequivocal.

"We do declare," said his majesty †, "a liberty to tender consciences; and that no man shall be disquieted, or called in question for differences

\* The Rights of Protestant Dissenters to a complete Toleration, asserted, 8vo. 1787, p. 1.

† 25 October 1689.

## THE ENGLISH CATHOLICS.

8

“ of opinion in matters of religion, which do not  
“ disturb the peace of the kingdom ; and that we  
“ shall be ready to consent to such an act of parlia-  
“ ment, as, upon mature deliberation, shall be  
“ offered to us, for the full granting that indulgence.”  
Such was the promise :—unfortunately; both for the  
monarch and his subjects, it was completely vio-  
lated, in respect both to the protestant dissenters  
and the roman-catholics :—In this chapter we shall  
succinctly state its violation in respect to the former.

During the fifteen years, that immediately pre-  
ceded the time, of which we are now speaking, the  
hierarchy of the church of England was broken,  
its liturgy set aside, a new form of worship esta-  
blished, and the constituted authorities, and almost  
every individual of influence, either in church or  
state, was presbyterian or independent. This was  
reversed by the Restoration; still, as several per-  
sons of distinction, and a large proportion of the  
people, yet adhered to the dissenters, their interest  
was considerable, and required management; it  
was the more difficult to disregard it, as it was  
impossible to deny, that the presbyterians had been  
eminently useful in bringing about the restoration  
of the monarch, or that his promises to them of  
toleration were both ample and explicit.

At first, great attention was shown to them :  
some even of the dissenting ministers were retained  
among the royal chaplains, and preached before his  
majesty. A deputation from them was introduced  
to him by the duke of Manchester\*. They sug-

\* June 1660.

gested, in firm but respectful language, the utility of a general religious union; and that it could only be effected, by confining the terms of communion to points, which were deemed essential, each party conceding the rest. The king desired to see their concessions; these, they consented to deliver in writing to his majesty, but requested that the bishops might do the same.

The dissenters accordingly communicated their proposal; they began by four preliminary requests; —that serious godliness might be countenanced; that a learned and pious minister, in each parish, should be encouraged; that a personal public owning of the baptismal covenant should precede the admission to the Lord's table; and that the Lord's day should be strictly sanctified. They then intimated that archbishop Usher's system of episcopal government should be the ground-work of the accommodation. It provided, that the concerns of the church should be transacted by four graduated synods, and a national council. 1. The rector or pastor and churchwarden or sideman, were to form a *parochial synod*, that should meet weekly, and take notice of those who lived scandalously, and admonish them; and, if they were not reclaimed, report them to the monthly synod: 2. Every rural deanery of the established church was to have a superintendent called a suffragan: he and the rectors or pastors within the circuit were to form the *suffragan synod*; it was to meet monthly, to receive the report of the parochial synod; to notice, and if necessary, censure all new opinions, heresies, and

schisms within the district: 3. A certain number of the deaneries or suffragancies was to constitute a diocese, under the government of a bishop or superintendent. Once or twice in every year he was to hold an assembly of the suffragans, and rectors or pastors, within his diocese. This was to constitute a *diocesan synod*; here, matters of particular moment were to be discussed; and appeals from the synod of suffragans and rectors were to be received; and all questions in it were to be determined by a plurality of the voices of the suffragans: 4. All the bishops or superintendents within each of the two provinces of Canterbury and York, and the rectors or suffragans of their dioceses, and of a certain number of the clergy, to be elected out of the diocese to which they belonged, were to form a *provincial synod*, that should be held in every third year. The primate of each province was to preside over this assembly, as moderator. It was to receive appeals from the diocesan synod: 5. But the assemblies of each province might unite, and form a *national council*. Here, appeals from all inferior synods might be received, all their proceedings examined, and such ecclesiastical constitutions, as concerned the state and church of the whole nation, might be established.

It is evident, that both the form and spirit of this scheme of ecclesiastical economy, though some episcopalian words were introduced into it, were presbyterian: it was rendered still more so by certain proposals, with which it was accompanied: in these, the dissenting ministers acquiesced in a

## HISTORICAL MEMOIRS OF

liturgy ; but, without absolutely rejecting the sur-  
plice, the use of the cross in baptism, the bowing  
at the name of Jesus, and other ceremonies, they  
observed, that the church service was perfect with-  
out them ; that they were rejected by most of the  
protestant churches abroad, and that they had been  
the cause of much disunion and disturbance in Eng-  
land. They requested that none of their ministers  
might be ejected from sequestered livings, the in-  
cumbents of which were dead ; that no oaths, sub-  
scriptions, or renunciation of orders might be re-  
quired of them, until there should be a general  
settlement of the religious concerns of the nation\*.

The king received these propositions with kind-  
ness, and communicated them to the bishops ; some  
were for concessions to the dissenters ; others, for  
an immediate and absolute rejection of their ad-  
vances. Lord chancellor Clarendon, who had the  
sole direction, at this time, of the royal councils,  
sided with the latter. "It was," he always de-  
clared, "an unhappy policy, and always unhappily  
applied, to imagine that dissenters could be re-  
covered or reconciled by partial concessions, or  
by granting less than they demanded. Their  
faction," he said, "was their religion †."

The answer of the bishops was expressed in  
guarded terms. They observed, that the law had  
sufficiently provided for many of the regulations  
solicited ;—for those particularly, which were men-  
tioned in the four preliminary requests ; that the

\* Collier's Hist. vol. ii. p. 871, 872, 873.

† Life, vol. ii. p. 128.

bishops were willing to allow liberty of conscience, but could not allow conventicles, as these were dangerous to the state ; that the Common Prayer was altogether unexceptionable, and could not be too strictly enjoined ; yet, that they were willing to revise it, if his majesty should think it proper : they were willing that extemporary prayer might be used both before and after the service ;—but they were unwilling to part with any of the ceremonies.

The answer of the bishops being communicated to the king, his majesty caused a copy of it to be given to the dissenters, with an intimation, that he would commit to writing the particulars of the indulgence which he meant to show them ; but that they should receive a copy of the instrument, and be at liberty to comment upon it before it was published. It was accordingly communicated to them : they returned a minute, which contained the heads of their objections. A meeting took place at the chancellor's ; the king, accompanied by several of his principal nobility, attended ; the established church was represented by several prelates and some distinguished private divines ; the dissenters, by Reynolds, Calamy, Baxter, and other ministers of eminence. The projected *declaration of his majesty* was read ; each party was allowed to state succinctly their objections ; and the dissenters availed themselves of this liberty. When the perusal and discussion of the declarations were finished, the lord chancellor read a supplemental clause, in which his majesty signified a wish, “ that others also might be permitted to meet for religious worship, provided

“ they gave no disturbance to the public peace ;  
“ and that they might not be molested by any  
“ justice of peace, or other officer.” It was sus-  
pected both by the prelates and the dissenters, that  
this clause was introduced to bring roman-catho-  
lics and socinians within the projected toleration ;  
both parties disapproved it for this reason ; a pro-  
found silence ensued ; but, after a short time,  
Baxter rose, and protested against the toleration of  
papists and socinians :—“ The presbyterians,” he  
said, “ desired not favour to themselves alone ;  
“ and rigorous severity, they desired against none.  
“ As they humbly thanked his majesty for his in-  
“ dulgence to themselves, so they distinguished  
“ the tolerable parties from the intolerable : for the  
“ former, they humbly craved just lenity and favour ;  
“ but for the latter, such as the papists and socinians,  
“ for their parts, they could not make *their*  
“ toleration *their* request.”

His majesty’s declaration was then promulgated \* :  
the language of it announced principles of mode-  
ration and comprehension. The king promised to  
provide suffragan bishops for the larger dioceses ;  
that these should not confer ordination, or exercise  
any other act of jurisdiction, without the advice and  
assistance of presbyters, chosen by the diocese ;—  
that reasonable alterations should be made in the  
liturgy ; that the church form of worship should not  
be forced on those who were unwilling to receive  
it ; and that the surplice, the cross in baptism, or

\* 25 October 1660. Collier has inserted it at length,  
vol. ii. p. 874.

the bow at the name of Jesus, should not be rigidly insisted upon.—His majesty closed the declaration, by solemnly recognizing the promise of religious indulgence, made by him at Breda.—It is a just observation of Hume\*, that this declaration was made by the king as head of the church; and that he plainly assumed, in many parts of it, a legislative authority in ecclesiastical matters †.

It generally satisfied the dissenters. Baxter, as he himself declares, was overjoyed: he waited immediately on the chancellor, gave him many thanks for the concessions, and added, that, if the liturgy should be altered as the declaration promised; and the declaration itself made a law, he should think it a duty to encourage a general union ‡.

\* Hist. c. lxiii.

† Collier has a similar remark, vol. ii. p. 876.

‡ “The History of England during the reign of king William, queen Anne, and king George I, with an introductory review of the reigns of the royal brothers Charles and James; in which are to be found the seeds of the revolution; by a Lover of Truth and Liberty, 2 vols. fol. 1744.”

Mr. James Ralph, a political writer of eminence in his time, was the author of this history.—Mr. Chalmers thus speaks of it in his Biographical Dictionary:—“ This was always considered a very useful work. Ralph had read a great deal, and was very conversant on the history and politics of the country. He applied himself, with great industry, to the study of all writings upon party matters: and had collected a prodigious number of pamphlets respecting the contests of whig and tory, the essence of which he incorporated into his work, so as to make it a fund of curious information and opinions, of which more regular historians might afterwards avail themselves.”—Mr. Fox, in his late historical work, pronounces him to be “ an

The trials of the regicides soon followed this event; it appears, from what took place on them, that the feelings of the king, in their regard, were less vindictive than those of his parliament or his people. The trials were attended with one circumstance, which gave general disgust,—that several of the popular party sat as the judges of the criminals, and sentenced them to die for a rebellion, to which they themselves had excited them\*.

The civil dissensions of the kingdom appeared now to be effectually composed: but a further settlement of its religious agitation was obviously necessary: the roman-catholics, the anabaptists, and the quakers, would have been satisfied with toleration; but prelacy and presbytery were striving for the ascendancy. An attempt to effect an amicable arrangement of their claims was made by a *conference* of twelve bishops and twelve dissenting ministers, which took place, under the royal authority, at the Savoy†. It was unsuccessful; and

“ historian of great acuteness, as well as diligence; but who “ falls sometimes into the common error of judging too much “ from the event.”—To be thus spoken of by Mr. Fox, argues no common merit. It appears to the writer of these pages, that an abridgment of this work, in which this historian’s noble principles of whiggism should be allowed their place, with a continuation of it on the same plan, would be a useful and a popular work.

\* Dalrymple’s Memoirs, p. 21.

† March 1661. All the papers relating to the conference at the Savoy, are collected in the “ History of Non-conformity.”—A clear view is given of them by Mr. Neale, in his History of the Puritans, vol. ii. c. vi.

was immediately followed by the act, which was passed for restoring the bishops to their seats in parliament, from which an act sanctioned by Charles the first, immediately before the commencement of the civil war, had excluded them.

The corporation act\*, passed in the same year, was the commencement of hostilities against the protestant dissenters. Powers were given by it to commissioners, to be appointed by the king, to expel from corporations any officers they should think proper, and to place other persons in their room: it was further provided by it, that, for the future, no person should be appointed to any office or place relating to the government of corporations, boroughs, or the cinque ports, who had not, within the preceding twelve months, taken the sacrament of the Lord's supper, according to the rites of the church of England.

Hume gives the following account of the object of this act: "During the violence and jealous government of the parliament and of the protector, all magistrates liable to suspicions had been expelled the corporations, and none had been admitted, " who gave not proofs of affection to the ruling powers, or who refused to subscribe the covenant. "To leave all authority in such hands, seemed dangerous; and therefore the parliament empowered the king to appoint commissioners for regulating the corporations, and expel such magis-

† 13 Car. II. st. 2, c. 1. (1661.)—An act for the well governing and regulating of corporations.

"trates as either had obtruded themselves by violence, or professed principles dangerous to the constitution, civil or ecclesiastical." These expressions of Hume appear to justify an assertion of the protestant dissenters and the advocates of their cause, that, if the real object of the act was to be collected from a fair construction of the terms in which it is expressed, it was levelled against the civil, not against the religious, principles of those, in whose regard it was designed to operate;—against the evil spirits, mentioned in the preamble of the act to be still at work, and not against the presbyterians, whose actual loyalty was then admitted, and who were then acknowledged to have been particularly instrumental in placing his majesty on the throne.

It is also important to consider, that, at the time of the passing of this act, the negotiation for the comprehension was still in progress, and that great hopes of its success were still entertained. Hence the act only required the sacrament to be taken according to the rites, which *should be* established, when the terms of the comprehension, which it was expected would be agreeable to both parties, should be settled. It is certain that the corporation act was viewed by many dissenters in this light, and that several were reconciled to it by this circumstance: but events quickly followed, which demonstrated, that it really was aimed at the general body of dissenters, and that, though it was purposely expressed in such terms, as to give it an appearance

of providing only for the civil government of the country, and, on that account, not to conflict with his majesty's declaration at Breda, it was really levelled at the presbyterians and the other dissenting sectaries, and intended to effect their ruin.

This was completed by the Act of Uniformity\* which was passed in the following year. It provided, that all ministers, who had not been episcopally ordained, should be re-ordained by a bishop of the established church; that every minister, having an ecclesiastical benefice, should on the then next 22d day of August, (the feast of Saint Bartholomew),—read publicly and solemnly, in the church belonging to his benefice, the morning and evening service in the book of Common Prayer; and express, in the words prescribed by the act, his unfeigned assent and consent to the use of all things contained in the book, under pain of instant deprivation of all his spiritual preferments: that he should take the oath of canonical obedience: and that deans, heads of colleges, professors, lecturers, schoolmasters, and generally all persons having ecclesiastical dignity or promotion, should, before the same day, sign a declaration prescribed by the act, by which they were to abjure the solemn league and covenant, and testify their belief, that it was not lawful to take arms against the king. Bishop

\* 13 & 14 Car. II, c. 4. (1662.)—An act for the uniformity of public prayer and administration of the sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons in the church of England.

Burnet says, that "Saint Bartholomew's day was fixed on for the operation of the act, that, if the ministers were then deprived, they should lose the profits of the whole year, since the tythes are commonly due at Michaelmas. The presbyterians," he says, "remembered what Saint Bartholomew's day had been at Paris ninety years before, and did not stick to compare the one to the other."

This celebrated act received the royal assent on the 19th of May 1662. It has been mentioned, that the book of Common Prayer had been committed by the king to the bishops for their revision: they altered it in some places, and added to it in others; but it was not printed until some time after the passing of the act of uniformity. If we believe Neale\*, not one divine in ten, that lived at any considerable distance from London, had it in his power to peruse it before Saint Bartholomew's day: "The matter," says Burnet, "was driven on with such precipitancy, that it seemed to be implied, that the clergy should subscribe to the book implicitly, without having seen it; this," he says, "had been done by too many, as the bishops themselves confessed †."

The dissenters were divided on some of the objections made to a compliance with the act: all, however, protested that they could not conscientiously "give their assent and consent to all and every thing contained in the book of Common

\* Hist. vol. ii. c. vi.

† Hist. vol. i. p. 184, 185.

“ Prayer,” and that no human power was authorized to require such a declaration from them.

At length Saint Bartholomew’s day arrived, and two thousand ministers gave up their livings. This, to use the words of Burnet, raised a grievous cry over the nation. The ejected ministers, says Neale, were driven from their houses, from the society of their friends; and, what was yet more affecting, from all their usefulness.

Under these severities, by an inconsistency, which their sufferings excused, they resorted to the dispensing power of the king for relief against the operations of the act. Three days after it took place, Mr. Calamy, and some other of their leading divines, presented to his majesty a petition, to this effect. It was debated in council on the following day; his majesty was present, and declared that “ he intended an indulgence, if it were at all “ feasible.”—But Dr. Sheldon, who was then bishop of London, and afterwards archbishop of Canterbury, argued against it: he declared that the suspension of the law would be illegal, and that the repeal of it would expose those, who had passed it, to the sport and scorn of the presbyterian faction.

“ Thus,” says the historian Ralph\*, “ in this “ one event, we are furnished with two signal in- “ stances of the self-inconsistency of parties: the “ dissenters calling upon the king to exercise a “ dispensing power; and a bishop disputing the

\* Hist. p. 77.

“will of his sovereign, and contending for the supremacy of the law.”

The intolerants prevailed, and the petition of the dissenters was rejected. His majesty, however, was pleased to exercise his dispensing power in favour of some protestant Walloons settled at Thorney, in the isle of Ely, by granting them, by his letters patent, leave to use their liturgy in their own language, and to regulate their other religious concerns, by their own discipline. About the same time, by a strong exercise of his spiritual supremacy, he addressed a letter to the archbishop of Canterbury, by which he directed what topics the established clergy should discuss, and what they should avoid in their sermons; and made other regulations respecting their discipline \*.

The dissenters filled England with their complaints against the act. Perceiving that they made a considerable impression on the public mind, his majesty, about four months after his sanctioning it, issued a declaration of indulgence †. He mentions in it the promises of liberty of conscience contained in his declaration at Breda; he observes that he had been zealous to settle the uniformity of the church of England; promises to maintain it, and then, “as to what concerned those, who, living “peaceably, did not conform themselves to it “through scrupulous and misguided conscience,”

\* Dated 14 October 1662. Ralph has inserted it at length in his History.

† 26 December 1662.

he declares, that, in the approaching sessions, he  
 " would endeavour to induce parliament to concur  
 " with him in an act, which might enable him to  
 " exercise, with a more universal satisfaction, that  
 " power of dispensing, which he conceived to be  
 " inherent in him."

Whatever hopes were raised by this declaration, they were of short duration: no alleviation of the act of uniformity took place; and two acts were passed for suppressing conventicles, the name usually given to the religious meetings of the dissenters\*. By the first, persons preaching in them, were prohibited from coming within five miles of any town corporate or borough, under the penalty of 40*l.* The operation of this act was limited to three years:—on its expiration, another was passed, which provided, that, whenever five persons, above those of the same household, should assemble in a religious congregation, each should be liable, for the first offence, to be imprisoned for three months, or to pay 5*l.*; for the second, to be imprisoned six months, or to pay 10*l.*; and for the third, to be transported seven years, or to pay 100*l.*

In this manner,—to avail ourselves of the candid acknowledgments of Hume † " all the king's kind  
 " promises of toleration and indulgence to tender  
 " consciences, were eluded and broken." Lord

\* 16 Car. II, c. 1. (1664.) An act to prevent and suppress seditious conventicles. 22 Car. II, c. 1. (1670,) with the same title. The first of these acts expired at the end of three years.

† Hist. c. xlivi.

Clarendon\* defends the monarch against this charge on three grounds ;—“The presbyterians,” says his lordship, “complained that the king had “ violated his promise made to them in his declaration at Breda, which was urged with great uniuscinity and without any shadow of right, for his “ majesty had thereby referred the whole settlement “ of all things relating to religion, to the wisdom of “ parliament.”—Hume justly replies,—“ It is true “ that Charles, in his declaration from Breda, had “ expressed his intention of regulating that indul- “ gence, by the advice and authority of parliament: “ but this limitation could never reasonably be ex- “ tended to a total infringement and violation of “ all his engagements.” To the noble historian’s two other excuses,—that the indulgence was promised to the scrupulous, not to the factious ; and that the sovereign was willing, and sought to perform his promise, but that the decided hostility of parliament put it beyond his power,—no answer is necessary. Lord Clarendon mentions frequently the malignity of the sectaries : Hume justly observes, that the chief cause of that malignity was the restraint, under which they laboured : in this, as on all such occasions, the removal of the cause would, though perhaps slowly, have removed the effect.

It is observable, that the monarch, in his declaration of indulgence, intimates those pretensions to the dispensing power, which were afterwards openly avowed, both by him and his successor in the

\* Life, vol. ii. p. 156.

throne. From this circumstance, Hume and other respectable historians have suggested, that, even at this time, the monarch had formed a settled plan of affording to the roman-catholics a legal toleration of their religion; and that his severities to the protestant dissenters proceeded from refined policy. He calculated,—if we should believe these writers,—that, to avoid the grinding operation of these severities, the protestant dissenters would gladly avail themselves of any exertions of the dispensing power, which the crown should make in their favour; and thus, having themselves profited of them, could not afterwards consistently call in question, either the monarch's title to the prerogative, or the justice of his exercising it in favour of others. A passage in Burnet's History may be thought to render this probable\*: but nothing certainly could be more contrary to any views of this nature, than the principles and feelings of Clarendon, by whose counsels his majesty was, at this time, solely guided in all his measures, and particularly in those, which were then taken against the protestant dissenters. The minister's strong and persevering hostility to them, and to the roman-catholics, is the greatest blot in his character, otherwise highly estimable.

One circumstance, of particular hardship, attended the expulsion of the dissenting ministers from their livings. When the monks and nuns were expelled from their religious abodes by Henry the eighth, and when the catholic clergy were deprived of their

\* Vol. i. p. 179.

benefices by Elizabeth, some allowances were made to them ; and when the presbyterians ejected the established hierarchy, a fifth of each living had been left to the ejected clergymen ; but on the expulsion of the non-conformist ministers, no such allowances were made : it was recommended by the peers, but was absolutely rejected by the commons.

The several acts of parliament noticed in this chapter, had the effect of changing the name of puritans into that of *protestant non-conformists*. The acts for suppressing conventicles considerably increased their sufferings. By virtue of them, says Neale\*, the gaols in the several counties were quickly filled with dissenting protestants ; the houses of the ministers were broken open, their hearers taken into custody, the legal penalties of 20*l.* upon the minister, 20*l.* upon the house, and 5*l.* on each hearer, were exacted : if not paid, they were levied by the sale of the cattle and goods of the offenders ; and if these did not suffice to answer them, the parties were hurried to prison and kept in close confinement for three or even six months. Several were fined, several excommunicated, for not coming to church, and some were sentenced to abjure the realm. To avoid these severities, several occasionally frequented the churches of the establishment : this was termed Occasional Conformity : it was defended by some presbyterian divines ; but the independents, anabaptists, and quakers, universally disclaimed it. The firmness of the quakers, always

\* Hist. vol. ii. c. vii. In the present chapter we frequently use his words.

passive but never yielding, was singularly remarkable.

The general sufferings of the non-conformists of every denomination were certainly very great: it has been asserted that eight thousand of them perished in the reign of Charles the second, merely for dissenting from the church \*. This persecution of them was attended by one singular circumstance: In every other instance, where one denomination of christians has persecuted another, it has been on the ground, that the errors, which they professed to punish, were impious, and led the maintainers of them to eternal perdition; and therefore rendered these wholesome severities, as the persecutors termed them, salutary to the sufferers. But, when the protestant of the church of England acted in the manner which has been mentioned against the protestant non-conformist, he persecuted a christian, who agreed with him in all, which he himself deemed to be substantial articles of faith, and differed from him only in rites and ceremonies, which he himself allowed to be indifferent †.

A temporary relaxation of these severities was made by the declaration of indulgence which was issued by his majesty soon after his alliance with France against Holland ‡. By this, in virtue of an authority, which he asserted to be inherent in him, and to have been often recognized by the

\* See the preface to De Laune's Plea for Non-conformists, by the editor of that work.

† This is Neale's just remark, vol. ii. c. vi.

‡ 13 March 1672.

nation, he generally suspended the penal laws, both in respect to the protestant non-conformists and the roman-catholic recusants, and granted to the former a public, and to the latter a private exercise of their religion. But, in the following year, the commons having warmly remonstrated against this declaration, as an open and inexcusable violation of the constitution, with an intimation, that its principal, though concealed, object, was to favour the catholics, his majesty recalled it, and with his own hands broke the seals.

---

## CHAP. LXV.

ADDRESSES OF THE ENGLISH CATHOLICS ON THE  
ACCESSION OF CHARLES THE SECOND.—FIRST  
PROCEEDINGS IN THEIR REGARD.—FIRE OF  
LONDON.—OATES'S PLOT.

THE events in this reign, in which the catholics were deeply interested, are numerous.

We shall present the reader, I. With an account of the addresses presented by the English catholics on the restoration of Charles the second : II. Of the proceedings in parliament, which, upon that event, took place in their regard : III. Then mention the fire of London : IV. Then state some facts and offer some observations on Oates's plot: V. Then insert the apology addressed to the peers of England by lord Castlemain, in consequence of the new severities, with which the catholics were then threatened: VI. Then notice the act preventing

catholic peers and commoners from sitting in parliament : VII. And conclude the chapter with a summary review given by a protestant writer of the religious persecutions in England from the reformation till the end of the reign of Charles the second ;—and some general reflections upon them.

## LXV. 1.

*Addresses presented by the English Catholics on the Restoration of Charles the second.*

ON the restoration of Charles the second, the expectations of his catholic subjects were very great, and were certainly very reasonable. In every stage of the civil conflict, his father and himself had found the lives and fortunes of the catholics at their command : there was scarcely a catholic family, some members of which had not perished in the field ; or from whom a large proportion of their property had not been confiscated, in consequence of their loyalty. They presented three addresses to his majesty.

The first was signed by the dean and chapter.—  
“ We hold,” they say, “ that the pope hath no power, directly or indirectly, to lay commands on the king’s catholic subjects in any thing belonging to civil and temporal matters ; and contrarywise, that the aforesayd supreame dominion and power of majestie extends over all his subjects, as well ecclesiasticke as layicke, and in all cases, not only temporall but also spirituall, as far forth as they may have respect to the civil and politick

“ government. And that therefore we hold our-  
“ selves bound never to suffer or permit, as far as  
“ lyes in our power, that any person or persons,  
“ ecclesiastick or layick, exercise at any time, any  
“ jurisdiction, power, or authoritie in this kingdom,  
“ or in any other part of his majesty’s dominions,  
“ over his majesty’s subjects, in thinges appertain-  
“ ing to or reflectinge upon his civil government,  
“ without the knowledge and leave of his sayd  
“ majestie ; much less, without violence to the  
“ sacred principle aforesaid; can or doe wee hold  
“ that the pope either hath, by himselfe, or by any  
“ authoritie derived from his see, any rightfull  
“ power of deposinge kings, whether catholick or  
“ not catholick, disposinge of their dominions and  
“ kingdoms, or of authorizinge any externe prince,  
“ or other person or persons whatsoever, to invade  
“ or endammage either his majestie’s sacred per-  
“ son, or any part of his dominions.

“ But most of all wee detest from our harts that  
“ impious, damnable, and most unchristian position,  
“ that kings or absolute princes, of what belief  
“ soever, who are excommunicated by the pope, may  
“ be deposed, killed, or murthered by their sub-  
“ jects, as clearly contrary to the word of God.”

A second address was presented by the English Benedictines and other regular clergy. — They cite several sentences of foreign universities, condemning the claim of the pope to temporal power by divine right: — the principal of these are mentioned in the opinions of the foreign universities transcribed in the Appendix to these Memoirs.

The addressers conclude their protestation in these words.

“ This protestation we make in the presence of  
“ God and his holy angels, without any equivoca-  
“ tion or mental reservation whatsoever. The which  
“ doctrine of mental reservation wee doe deteste  
“ and abhorre as most unchristian and execrable :  
“ especially in professions of this nature ; as also in  
“ all promises and contracts made with any, or  
“ when wee are convened before any legall magis-  
“ strate, of what religion soever.

“ And now,—our hope is, that this our profes-  
“ sion will be esteemed sufficient to satisfy the state  
“ and kingdome, that the catholick religion does not  
“ deserve such imputations, as upon occasion of the  
“ writings or crimes of a few unhappy persons, have  
“ been undeservedly cast upon it. As likewise to  
“ demonstrate, that both for an acknowledgment  
“ of his majestie’s just supremacy in all temporall  
“ power, as a civil goverhour, and likewise our rea-  
“ diness to perform all due allegiance to him and  
“ his successors, according to the lawes of these  
“ kingdomes, wee his distressed roman-catholick  
“ subjects, are by our religion as much obliged, and  
“ God willing, shall never come short of any other  
“ subjects, of what persuasion in matters of religion  
“ soever they be. However, in case that which is  
“ here written and protested shall not be esteemed  
“ sufficient for this purpose, our most humble suit  
“ is, that wee may be permitted further to explain  
“ ourselves, and against all exceptions to justify

“ out most unalterable fidelity, loyalty and sincerity.”

3. Another address, composed by sir John Arundell, afterwards created baron Arundell of Wardour, was presented by him in the name of himself and the general body of the English catholics:—a noble appeal to justice and humanity!—It is expressed in the following terms:

“ Most mighty Soveraigne,

“ Your roman-catholique subjects,—considering  
“ in how miraculous a manner God hath preserved  
“ and now sent your majestie to this desolate na-  
“ tion, to redresse the aggrievances of your people,  
“ and repaire the breaches made by the late unhappy  
“ distempers both in the state and lawes,—have  
“ thought this a convenient and seasonable tyme to  
“ cast theim selves at the feete of your mercy for a re-  
“ peale of those penal statutes, under which they and  
“ their forefathers have long groaned ;—in order to  
“ obteyning which signal favour from your most  
“ bounteous hand, wee here present you some  
“ equitable motives, nor are we diffident of your  
“ acceptance thereof, especially at a tyme, when  
“ you are pleased to afford a gratiouse hearing to  
“ many seets and professors of new opinions under  
“ a notion of tender consciences, promising a free  
“ and full pardon of all such,—(some few excepted,  
“ whose hands were deepest in your royal father’s  
“ innocent blood),—as should submit theim selves  
“ to your clemencie, which we here doe in a most  
“ humble manner, and therefore want not cause to

“ hope that the effects of your mercie and goodness  
“ will not be shortened or denied to us alone.

“ *Our first motive*,—is, by proving to your ma-  
“ jestie, that all the causes of your predecessor’s  
“ penal lawes are now ceased, and therefore in rea-  
“ son, mercie, and justice, the lawes themselves  
“ ought likewise to cease.—We come to the par-  
“ ticulars.

“ Henry the eighth’s penall statutes were made  
“ to remove the pope’s authoritie, which stood in  
“ his way, an insuperable impediment, to the enjoy-  
“ ment of his beloved mistris Anne of Bullen, till  
“ such time as he had removed it, by changing the  
“ religion of his ancestors, and assuming to himself  
“ the head-shipp of the church, that so, he might  
“ dispence with himselfe in the case,—(a thing the  
“ pope declared he could not doe),—and make all  
“ lawful to himselfe which hee listed. Hence he  
“ enacted a lawe, that, whoever would not acknow-  
“ ledge him supreame head of the church and  
“ renounce the pope’s authoritie,—(which was  
“ acknowledged by all his royal ancestors from  
“ England’s conversion to that tyme) should loose his  
“ estate and be putt to death for an heretick. This  
“ reason reacheth not at all to your majestie, who  
“ are no way concerned in any such abominable  
“ case, nor swayed by sinfull passion as he was;  
“ but of just and equall christian temper, and there-  
“ fore neede not the defence or cloake of such a  
“ law.

“ Queen Elizabeth’s penall statutes were made  
“ to strengthen and secure her title to the crowne,

“ —(which was knowne to be but weake, Marie’s  
“ mother being alive two yeares after she was  
“ borne),—against the true and lawful title of  
“ Mary queen of Scots, your great-grandmother,  
“ of blessed memory, of whom she alwaies had  
“ much jealousie, as well by reason of her alliance  
“ with France, and right declared by the sentence  
“ of the church against the devorce of her father  
“ from his lawfull wife, as also by reason of her own  
“ illegitimation declared by her father in parlia-  
“ ment, and the excommunications denounced  
“ against her. These were the reasons of her  
“ penall statutes, which can be no reasons to your  
“ majestie to continue, but rather to annull and re-  
“ peal them, seeing the causes of her feares are just  
“ confirmation of your confidence in us, as plainly  
“ giving testimony to your rightfull succession and  
“ most legitimate possession of the crowne, which  
“ wee have all endeavoured to defend during those  
“ late commotions, not onely to a sale and seques-  
“ tration of our estates, but deprivation also of our  
“ lives.

“ The penall statutes of king James your royll  
“ grandfather, of happy memory, were occasioned  
“ by that horrid and blackest of plotts,—(wee ex-  
“ cept none but this of fresher memory against your  
“ royll father and yourselfe),—the gunpowderplot,  
“ —which was construed and carried on by a few  
“ wretched men of broken and desperate fortunes,—  
“ the generalitie of roman-catholiques knowing  
“ nothing of it, and all protesting against it even  
“ to this day, as a most damnable designe, con-

“trary to their faith and religion. And here,  
“we humbly appeale to your gratiouſe majestie,  
“whether it be conſiſtent either with reason, mercie,  
“or justice, that a multitude of innocent persons  
“ſhould ſuffer ſo long under ſo many penall lawes  
“for the fault and wickedneſſe of an incoſiderable  
“number, whom they have ever diſclaymeſd and  
“had nothing to doe with at all;—may we not,  
“now, at leaſt, with much moideſtie petition your  
“royall highneſſe for a repeale thereof? We hope  
“we may, and doe it at your feete; humbly be-  
“ſeeching you that, whiſt you offer pardon to  
“deſperate rebells, even ſuch as have been ſtained  
“with your father’s blood,—(a demonstration of  
“your matchleſſe clemencie),—it may not be denied  
“to innocent ſubjects, whose blood hath often  
“beene a ſacrifice to his and your defence and  
“ſafetie; which may, we hope, prepondeſate to that  
“deſigne of a few impious plotters, ſeeing it is not  
“the way of your clemencie to puniſh a muſtitude  
“for the ſinnes of a few, but rather a few for a muſtitude; witness your ouverture of a general pardon.  
“Let not, therefore, the crime of a few catholiques  
“be made the fault of all!

“By what hath hitherto been ſaid, it cannot but  
“appear to your majestie, that all those penall lawes  
“of your anſtors were merely partiſular, and  
“related onely to the tymes they were made in;  
“not being applicable to the preſent, and therefore  
“the cauſe or reaſon of them ceaſing, we humbly  
“begg that the effects may likewiſe ceaſe.

“ *A second motive* for repealing them, is,—from  
“ that expression of Mary queene of Scots,—your  
“ great-grandmother of blessed memory,—made  
“ at the tyme of her arraignment and execution  
“ before the lords there assembled, viz. ‘ Woe is mee  
“ for the poore catholiques, and the miseries I fore-  
“ see they are like to suffer for their irremoveable  
“ affection to me and mine; if I were free as mye  
“ stile and innocencie requireth, I would gladly  
“ redeeme their vexations with my dearest blood! ’  
“ &c.—Let then your gratiouse mercie and autho-  
“ ritie effect what she dying so earnestly designed,  
“ and lett not those be sufferers by and from you,  
“ whose chiefest sufferings have beene heretofore  
“ for you and yours, not to say any thing of those  
“ sequestrations and degradations layd upon them  
“ of late tynes, for meare performance of their  
“ dutie and allegiance to your royal father and  
“ yourself. Wee shall add onely to this motive,  
“ that gratiouse saying of king James, made in par-  
“ liament, viz. ‘ that he would have no blood for  
“ religion, nor no soule-money contrary to the word  
“ of God,’ &c. humbly beseeching God, in whose  
“ hands the hearts of kings are, that his so pious a  
“ resolution towards his catholique loyal subjects,  
“ may make a deep impression on your heart.

“ *A third motive*,—is from our religion, which  
“ strictly teacheth and commaundeth us, under  
“ pain of eternal damnation, to render as to God  
“ the things that are God’s, so to Cæsar the things  
“ that are Cæsar’s, and to obey our temporall

“princes and magistrates, not for feare onely, but  
“for conscience sake, seeing to resist their au-  
“thoritie is to resist the ordinance of God, which  
“we believe with a most steadfast faith; nor are  
“wee longer roman-catholiques, than wee so be-  
“lieve. We believe also, and sincerely protest  
“before God and men, without any equivocation  
“or mental reservation, that we owe obedience  
“and allegiance to our soveraigne lord king  
“Charles, his heires and successors, and will per-  
“form it faithfully to him and them, notwithstanding-  
“ing any absolution or dispensation to the con-  
“trary whatsoever. We believe likewise, and  
“swear from our hearts, that wee ought and will  
“defend the person, rights, titles, and dignities of  
“our said soveraigne lord king Charles, his heirs  
“and successors, with the utmost hazard of our  
“lives and fortunes against all plotts, conspiracies,  
“and invasions of any power, foreine or domes-  
“tique, whatsoever, even in case of papall depo-  
“sition and deprivation.

“As to the imputation of idolatrie and super-  
“stition, so often charged on our religion by some  
“defamatorie pens and tongues, wee humbly con-  
“ceive the judgment to have beene given alreadie  
“on our side by so many generall-councils abroad,  
“and so many convocations and parliaments at  
“home,—(fortie for one at the least),—command-  
“ing and approving the religion we professe, that  
“your majestie cannot doubt the authors of that  
“imputation to be more zealous than knowing, and  
“more malicious than mercifull. I am sure your

“ learned grandfather of happie memorie, king  
“ James, thought no lesse of them when he said,  
“ that ‘ such as affirmed roman-catholiques not to  
“ be in a way to salvation, deserved to be burnt,’ &c.  
“ by which you may perceive what incendiaries  
“ they are, who endeavour to excite your royal  
“ highness and the good people of this nation  
“ against us, by falsely aspersing our religion with  
“ notes of superstition and idolatrie.

“ *A fourth motive*,—is from the fidelitie of roman-catholiques in queen Elizabeth’s tyme, testified by the lords of the privie councell, who told them that the cause of their imprisonment was not for any doubt made of their loyaltie, but onely to prevent the Spaniard’s hopes of their assistance in his intended invyasion ; nay, in that of 1588, they besought the lord North, then lieutenant of those parts, in the presence of the deane of Elye, that they might be employed in hastening forces to Tilbury campes, offering to serve in person, with their sonnes, tenants, and servants, at their owne charge, and to be placed in the front of the battle, to testifie the loyaltie of their harts, and to stopp the mouthes of envious maligners ; all this was freely offered by them, notwithstanding the queene had been twice excommunicated : a demonstrable argument, that they were not conditionall (as some objected) but absolute loyal and obedient subjects.

“ *A fifth motive*,—is, from their immovable fidelitie to your majestie’s predecessors, and your title in them strongly evidenced on all occasions,

“ witnes the ~~act~~ of queene Mary and her catho-  
“ lique subjects, ~~cancelling~~ the forged will of her  
“ father, extreamly prejudiciale to your right to  
“ this crowne, disproving it in parliament, and  
“ deposing the usurping queene Jane, sett up  
“ by protestants to the disinheriting of queene  
“ Mary and his\* eldest sister’s issue, in whose  
“ right the crowne descended to your ancestors  
“ and you, by the law of God, nature, and nations.  
“ We may add to this motive, that Hales his dis-  
“ loyal invective against your majestie’s title in  
“ the beginning of queene Elizabeth’s reigne was  
“ fully answered and confuted by sir Anthony  
“ Browne, one of the justices of the Common Pleas,  
“ and Mr. Edmund Plowden, two famous catholique  
“ lawyers, and gentlemen of good qualitie.

“ *A sixth and last motive*,—is, from our constant  
“ fidelitie, obedience, and affection towards your  
“ father of blessed memorie in all his late troubles,  
“ sufferings, and afflictions, as also to your own royll  
“ person, by zealously contributing to your mira-  
“ culous preservations and deliveries out of the  
“ hands of bloody and rebell enemies.—What have  
“ we not beene readie to doe and suffer to the utter-  
“ most of our abilities for preserving your majestie’s  
“ person, rights, and dignities?—Whose life or  
“ fortune hath been spared?—What one knowne  
“ catholique of note in your three nations hath ever  
“ borne armes against you?—Which of them hath  
“ ever betrayed the trust reposed in them? Wee  
“ have beene ever constant to your just claim to the

\* *i. e.* The issue of the eldest sister of Henry VIII.

“ succession of this crowne ; not ebbing or flowing  
“ in our affections, (like some others), according to  
“ the vicissitudes of your good or evil fortune, but  
“ alwayes resolute to live and dye with yourmajesty :  
“ nor did your father’s or your majestie’s declared  
“ zeale to the protestant religion, any way diminish  
“ the loyaltie of our hearts or hinder the perform-  
“ ance of our duties : than which what greater or  
“ more convincing testimonies of our fidelitie and  
“ allegiance can be given to you ?—

“ These things being so,—most royall soveraigne,  
“ we cannot doubt but your majestie will, in your  
“ princely wisdome, clemency, and justice, allow  
“ us to be now restored to that condition, which  
“ nature intended us, and is confirmed on us, as  
“ free borne Englishmen, by the great chartres of  
“ your royall ancestors, of which the violent passion  
“ of one prince, the apprehended title of another  
“ to the crowne, and the wicked attempt of a few  
“ seduced persons, have so unluckily and so long  
“ deprived us. Permit us, therefore, most gratious  
“ soveraigne, to exercise securely that religion, in  
“ which your pious and most famous ancestors have  
“ so long flourished.

“ And your petitioners shall pray, &c.”

#### LXV. 2.

##### *Proceedings in Parliament upon the Catholic Addresses.*

IN consequence of these addresses, a committee of the house was appointed, to examine and report all the penal statutes, which reached to the taking

away of the life of any catholic for his religion.— The committee met several times, but finally discontinued their sittings, without making a report. The writer has spared no pains to procure a full and accurate account of them, but without effect: The best information respecting them, which he has been able to procure, is given by lord Clarendon, in his Historical Memoirs of his own Life:— we shall transcribe the passage at length:—it is both interesting and ill-natured.

“ Because we have mentioned the gracious pur-  
“ poses the king had to his roman-catholic subjects,  
“ of which afterwards much use was made to his  
“ dis-service, to which the vanity and presumption  
“ of many of that profession contributed very  
“ much; it may not be unseasonable in this place  
“ to mention the ground of that his majesty’s  
“ goodness, and the reasons, why that purpose of  
“ him was not prosecuted to the purpose it was  
“ intended, after so fair a rise towards it by the  
“ appointment of that committee in the house of  
“ peers, which is remembered above.

“ It is not to be wondered at, that the king, at  
“ the age he was of when the troubles began in  
“ England, and when he came out of England,  
“ knew very little of the laws which had been long  
“ since made, and were still in force, against ro-  
“ man-catholics, and less of the grounds and mo-  
“ tives which had introduced those laws.~ And  
“ from the time that he was first beyond the seas,  
“ he could not be without hearing very much  
“ spoken against the protestant religion, and more

“ for extolling and magnifying the religion of the  
“ church of Rome ; neither of which discourses  
“ made any impression upon him. And after the  
“ defeat at Worcester, and his escape from thence  
“ into France, the queen his mother,—(who had  
“ very punctually complied with the king her  
“ husband’s injunctions, in not suffering anybody  
“ to endeavour to pervert the prince her son in his  
“ religion, and when he came afterwards into  
“ France after he was king, continued the same  
“ reservation),—used much more sharpness in her  
“ discourse against the protestants, than she had  
“ been accustomed to. The liberty that his ma-  
“ jesty formerly had in the Louvre, to have a place  
“ set aside for the exercise of his religion, was  
“ taken away : and continual discourses were  
“ made by the queen in his presence, ‘ that he had  
“ now no hope ever to be restored to his domi-  
“ nions, but by the help of the catholics ; and  
“ therefore that he must apply himself to them in  
“ such a way, as might induce them to help him.

“ About this time there was a short collection  
“ and abridgment made of all the penal laws,  
“ which had been made, and which were still in  
“ force in England, against the roman-catholics ;  
“ ‘ that all priests for saying mass were to be put to  
“ death ; the great penalties which they were to  
“ undergo, who entertained or harboured a priest  
“ in their house, or were present at mass, and  
“ the like ; with all other envious clauses, which  
“ were in any acts of parliament that had been  
“ enacted upon several treasons and conspiracies of

“ the roman-catholics, in the reigns of queen Elizabeth and king James. And this collection they caused to be translated into French and into Latin, and scattered it abroad in all places; after they had caused copies of it to be presented to the queen mother of France, and to the cardinal: so that the king came into no place where those papers were not showed to him, and where he was not seriously asked, ‘ whether it was a true collection of the laws of England,’ and ‘ whether it was possible that any christian kingdom could exercise so much tyranny against the catholic religion.’ The king, who had never heard of these particulars, did really believe that the paper was forged, and answered, ‘ he did not believe that there were such laws:’ and when he came to his lodgings, he gave the chancellor the paper, and bade him read it, and tell him whether such laws were in force in England. He had heard before of the scattering of those papers, and knew well who had made the collection; who had been a lawyer, and was a protestant, but had too good an opinion of the roman-catholics, and desired too much to be grateful to them.

“ The chancellor found an opportunity the next day to enlarge upon the paper to his majesty, and informed him of ‘ the reasons in which, and the occasions and provocations upon which, those laws had been made; of the frequent treasons and conspiracies which had been entered into by some roman-catholics, always with the privity and ap-

“ probation of their priests and confessors, against  
“ the person and life of queen Elizabeth ; and  
“ after her death, of the infamous and detestable  
“ gunpowder treason to have destroyed king James  
“ and his posterity, with the whole nobility of the  
“ kingdom : so that in those times, the pope having  
“ excommunicated the whole kingdom, and ab-  
“ solved the subjects from all their oaths of fidelity,  
“ there seemed no expedient to preserve the  
“ crown, but the using those severities against those  
“ who were professed enemies to it. But that  
“ since those times, that the romish-catholics had  
“ lived quietly, that rigour had not been used :  
“ and that the king his father’s clemency towards  
“ those of that profession,—(which clemency ex-  
“ tended no further than the dispensing with the  
“ utmost rigour of the laws),—was the ground of  
“ the scandal of his being popishly affected, that  
“ contributed as much to his ruin, as any particular  
“ malice in the worst of his enemies.’

“ The king hearkened attentively to all that was  
“ said, and then answered, ‘ that he could not  
“ doubt but there was some very extraordinary rea-  
“ son for making such strange laws: but what-  
“ ever the reason then was, that it was at present  
“ and for many years past very evident, that there  
“ was no such malignity in the roman-catholics,  
“ that should continue that heavy yoke upon their  
“ necks. That he knew well enough, that if he  
“ were in England, he had not in himself the power  
“ to repeal any act of parliament, without the con-  
“ sent of parliament: but that he knew no reason

“ why he might not profess, that he did not like  
“ those laws which caused men to be put to death  
“ for their religion ; and that he would do his best,  
“ if ever God restored him to his kingdom, that  
“ those bloody laws might be repealed. And that  
“ if there were no other reason of state than he  
“ could yet comprehend, against the taking away  
“ the other penalties, he should be glad that all  
“ those distinctions between his subjects might be  
“ removed ; and that whilst they were all equally  
“ good subjects, they might equally enjoy his pro-  
“ tection.’ And his majesty did frequently, when  
“ he was in the courts of catholic princes, and when  
“ he was sure to hear the sharpness of the laws in  
“ England inveighed against, enlarge upon the  
“ same discourse : and it had been a very un-  
“ seasonable presumption in any man, who would  
“ have endeavoured to have dissuaded him from  
“ entertaining that candour in his heart.

“ With this gracious disposition his majesty re-  
“ turned into England ; and received his catholic  
“ subjects with the same grace and frankness, that  
“ he did his other : and they took all opportuni-  
“ ties to extol their own sufferings, which they  
“ would have understood to have been for him.  
“ And some very noble persons there were, who  
“ had served his father very worthily in the war, and  
“ suffered as largely afterwards for having done so :  
“ but the number of those was not great, but much  
“ greater than of those who showed any affection to  
“ him or for him, during the time of his absence,

“ and the government of the usurper\*. Yet some  
“ few there were, even of those who had suffered  
“ most for his father, who did send him supply when  
“ he was abroad, though they were hardly able  
“ to provide necessaries for themselves: and in his  
“ escape from Worcester, he received extraordinary  
“ benefit, by the fidelity of many poor people of  
“ that religion; which his majesty was never re-  
“ served in the remembrance of†. And this gra-  
“ cious disposition in him did not then appear  
“ ingrateful to any. And then upon an address  
“ made to the house of peers in the name of the  
“ roman-catholics for some relaxation of those laws  
“ which were still in force against them, the house  
“ of peers appointed that committee, which is men-  
“ tioned before, to examine and report all those  
“ penal statutes, which reached to the taking away  
“ the life of any roman-catholic, priest or layman,  
“ for his religion: there not appearing one lord  
“ in the house, who seemed to be unwilling that  
“ those laws should be repealed. And after that  
“ committee was appointed, the roman-catholic  
“ lords and their friends for some days diligently  
“ attended it, and made their observations upon  
“ several acts of parliament, in which they desired  
“ ease. But on a sudden this committee was

\* What has been mentioned respecting the loyalty of the catholics, in a preceding page, shows this insinuation to be altogether unfounded.

† We have seen how little it was noticed by the noble historian.

“ discontinued, and never after revived ; the ro-  
“ man catholics never afterwards being solicitous  
“ for it.

“ The argument was now to be debated amongst  
“ themselves, that they might agree what would  
“ please them : and then there quickly appeared  
“ that discord and animosity between them, that  
“ never was nor ever will be extinguished ; and of  
“ which the state might make much other use than  
“ it hath done. The lords and men of estates were  
“ not satisfied, in that they observed the good-nature  
“ of the house did not appear to extend further,  
“ than the abolishing those laws which concerned  
“ the lives of the priests, which did not much affect  
“ them : for besides that, those spectacles were no  
“ longer grateful to the people : they were confi-  
“ dent that they should not be without men to dis-  
“ charge those functions ; and the number of such  
“ was more grievous to them than the scarcity.  
“ That, which they desired, was the removal of  
“ those laws, which being let loose would deprive  
“ them of so much of their estates, that the re-  
“ mainder would not preserve them from poverty.  
“ This indulgence would indeed be grateful to  
“ them ; for the other they cared not. Nor were  
“ the ecclesiastics at all pleased with what was  
“ proposed for their advantage, but looked upon  
“ themselves as deprived of the honour of martyr-  
“ dom by this remission, that they might undergo  
“ restraints, which will be more grievous than death  
“ itself : and they were very apprehensive, that  
“ there would remain some order of them excluded,

“ as there was even a most universal prejudice against  
“ the jesuits ; or that there would be some limi-  
“ tations of their numbers, which they well knew  
“ the catholics in general would be very glad of,  
“ though they could not appear to desire it.

“ There was a committee chosen amongst them of  
“ the superiors of all orders, and of the secular clergy,  
“ that sat at Arundel-house, and consulted together  
“ with some of the principal lords and others of  
“ the prime quality of that religion, what they  
“ should say or do in such and such cases which  
“ probably might fall out. They all concluded, at  
“ least apprehended, that they should never be dis-  
“ pensed with in respect of the oaths, which were  
“ enjoined to be taken by all men, without their  
“ submitting to take some other oath, that might  
“ be an equal security of and for their fidelity to  
“ the king, and the preservation of the peace of  
“ the kingdom. And there had been lately scat-  
“ tered abroad some printed papers, written by  
“ some regular and secular clergy, with sober pro-  
“ positions to that purpose, and even the form of  
“ an oath and subscription to be taken or made by  
“ all catholics ; in which there was an absolute re-  
“ nunciation or declaration against the temporal  
“ authority of the pope, which, in all common  
“ discourses amongst the protestants, all roman-  
“ catholics made no scruple to renounce and dis-  
“ claim : but it coming now to the subject-matter  
“ of the debate in this committee, the jesuits de-  
“ clared, with much warmth, ‘ that they ought not,  
“ nor could they with a good conscience, as catho-

“ licis, deprive the pope of his temporal authority,  
“ which he hath in all kingdoms granted to him  
“ by God himself, with very much to that purpose;  
“ with which most of the temporal lords, and very  
“ many of the seculars and regulars, were so much  
“ scandalized, that the committee being broken  
“ up for that time, they never attended it again;  
“ the wiser and the more conscientious men dis-  
“ cerning that there was a spirit in the rest that  
“ was raised and governed by a passion, of which  
“ they could not comprehend the ground. And the  
“ truth is, the jesuits, and they who adhered to  
“ them, had entertained great hopes from the  
“ king’s too much grace to them, and from the great  
“ liberty they enjoyed; and promised themselves  
“ and their friends another kind of indulgence,  
“ than they saw was intended to them by the house  
“ of peers. And this was the reason that the com-  
“ mittee was no more looked after, nor any public  
“ address was any farther prosecuted.

“ And from this time there every day appeared  
“ so much insolence and indiscretion amongst the  
“ imprudent catholics, that they brought so many  
“ scandals upon his majesty, and kindled so much  
“ jealousy in the parliament, that there grew a gene-  
“ ral aversion towards them. And the king’s party  
“ remembered, with what wariness and disregard  
“ the roman-catholics had lived towards them in the  
“ whole time of the usurpation; and how little  
“ sorrow they made show of upon the horrid murder  
“ of the king, (which was then exceedingly taken  
“ notice of): and they, who had been abroad with

“ the king, remembered, that his majesty had received less regard and respect from his catholic subjects, wherever he found them abroad, than from any foreign catholics; who always received him with all imaginable duty, whilst his own looked as if they had no dependence upon him. “ And so we return to the parliament after its adjournment.”

With the passage which we have just transcribed from lord Clarendon's Memoirs, the account given by bishop Burnet of the consultations of the catholics at this time \*, seems to coincide. From the latter, it appears that two propositions were made to the catholics,—that they should take James's oath of allegiance, and that the regular clergy should no longer have a place in the English mission.—On these propositions, the catholics split, and their meetings were discontinued. It also appears that they were jealous of the earl of Bristol, and apprehensive of the violence of his temper.—A minute in the hand-writing of the unfortunate viscount Stafford,—(for the perusal of which, and for many other favours the writer is indebted to Mr. Edward Jerningham—a descendant from his lordship),—notices the meetings at lord Bristol's, and their breaking up without coming to any settled plan of conduct. In the controversial war among the catholics of those times, the causes of the difference alluded to by bishop Burnet are frequently mentioned by each party, with great asperity; those, who disapproved of the proposals, branding the

\* History of his own Times, book ii. ad ann. 1663.

approvers of them with a want of orthodoxy and a due regard for religion and its best ministers ; while those, who approved the proposals, imputed to the former, weakness of mind and bigoted attachment to the holy see and its stipendiaries. Burnet intimates that, from the first, it was the wish of lord Clarendon to divide the catholics among themselves. Some parts of his conduct render this accusation not improbable,—yet an advocate for his lordship might speciously contend, from some of his writings\*, that his lordship wished for no more, than to induce the catholics of his time to make that unequivocal and unqualified profession of allegiance, which the catholics of the present day have expressed in the oaths taken by the body in the late reign.

## LXV. 3.

*The Fire of London.*

THIS melancholy event took place in the year 1666: the fire destroyed St. Paul's cathedral and 89 other churches; many public buildings; 13,200 dwelling-houses, and laid waste 400 streets from the Tower to the Temple church, and from the north-east gate of the city to Holborn-bridge or

\* Particularly his "Answer to Cressy," and his posthumous publication, "Church and State," a verbose and illiberal work, but containing some interesting facts and remarks.—Surely his lordship's charge against the catholics, in the passage cited in the text, that they disregarded his majesty in his exile, and were indifferent to his restoration, are utterly unfounded.

Fleet-ditch : having thus ravaged the city for three entire days and nights, it stopped almost on a sudden.

“ The causes of this calamity,” says Hume, “ were evident. The narrow streets of London, the “ houses built entirely of wood, the dry season, and “ a violent east wind which blew ; these were so “ many concurring circumstances, which rendered “ it easy to assign the reason of the destruction that “ ensued. But the people were not satisfied with “ this obvious account. Prompted by blind rage, “ some ascribed the guilt to the republicans, others “ to the catholics ; though it is not easy to conceive “ how the burning of London could serve the pur- “ poses of either party. As the papists were the “ chief objects of public detestation, the rumour, “ which threw the guilt on them, was more favour- “ ably received by the people. No proof, however, “ or even presumption, after the strictest inquiry “ by a committee of parliament, ever appeared to “ authorize such a calumny ; yet in order to give “ countenance to the popular prejudice, the inscrip- “ tion, engraved by authority on the Monument, “ ascribed this calamity to that hated sect. This “ clause was erased by order of king James, when “ he came to the throne ; but after the revolution it “ was replaced. So credulous, as well as obstinate, “ are the people, in believing every thing, which “ flatters their prevailing passion !”

## LXV. 4.

*Lord Castlemain's Apology for the Catholics.*

IT appears that the animosity of the public against the catholics, in consequence of the calumnious charge of their having set fire to the city of London, rose, almost suddenly, to a prodigious height of fury ; so that the catholics were justly terrified lest extreme measures against them should be immediately adopted and carried into execution. While they were in this state of agitation, lord Castlemain published the following manly and eloquent apology\*, in their behalf.

“ To all the Royalists who suffered for his  
“ Majestie, and the rest of the People of  
“ England.

“ My lords and gentlemen, the arms which  
“ christians can use against lawful powers in their  
“ severity, are only prayers, and tears.

“ Now since nothing can equal the infinity of

\* It seems to have been published in 1666, almost immediately after the fire.

A manuscript note, in a copy of it seen by the writer, mentions, that the “ printer was diligently inquired after by “ the house of commons, but not found; the printer fled, “ but his presses were broken by the command of the house.

“ It was written, not by the earl of Castlemain, but by “ one Pugh, a catholic and physician.”

Doctor Lloyd, afterwards bishop of St. Asaph, republished it, and an answer to it, with this title : “ The late Apology on “ behalf of the Papists, reprinted and answered. London, 4to. “ 1667. The doctor divides it into paragraphs, and, at the end of each paragraph, inserts his answer to it.

“ those we have shed, but the cause, viz. to see our  
“ dearest friends forsake us, we hope it will not  
“ offend you, if, (after we have a little wiped our  
“ eyes), we sigh out our complaints to you.

“ We had spoke much sooner, had we not been  
“ silent through consternation to see you inflamed,  
“ whom with reverence we honour, and also to show  
“ our submissive patience, which used no slights nor  
“ tricks to divert the debates of parliament: for no-  
“ body can imagine, where so many of the great  
“ nobility and gentry are concerned, but something  
“ might have been done; when, as in all ages, we  
“ see things of public advantage by the managers  
“ dexterity nipt in the bud, even in the very houses  
“ themselves. Far be it from catholics to perplex  
“ parliaments, who\* have been the founders of their  
“ privileges, and all ancient laws: nay, Magna  
“ Charta itself had its rise from us, which we do  
“ the less boast of, since it was not at first obtained  
“ in so submiss and humble a manner.

“ We sung our Nunc Dimittis when we saw our  
“ master in his throne, and you in your deserved  
“ authority and rule.

“ Nor could any thing have ever grieved us  
“ more but to have our loyalty called into question  
“ by you, even at the instigation of our greatest  
“ adversaries.

“ If we must suffer, let it be by you alone; for  
“ that’s a double death to men of honour to have  
“ their enemies not only accusers, but for their  
“ insulting judges also.

\* i. e. Which catholics.

“ These are they that, by beginning with us, murdered their prince, and wounded you : and shall “ the same method continue by your approbation ?

“ We are sure you mean well ; though their “ design be wicked : but never let it be recorded “ in story, that you forgot your often vows to us, “ in joining with them that have been the cause of “ so great calamity to the nation.

“ Of all calumnies against catholics, we have “ admired at none so much, as that their principles “ are said to be inconsistent with government, and “ they themselves thought ever prone to rebellion.

“ My lords and gentlemen, had this been a “ new sect, not known before, something perchance “ might have been doubted : but to lay this at their “ doors that have governed the civilized world, is “ the miracle of miracles to us.

“ Did Richard the first, or Edward Longshanks, “ suspect his catholics that served in Palestine, and “ make our country’s fame big in the chronicle of “ all ages ? or did they mistrust (in their dangerous “ absence) their subjects at home, because they “ were of the same profession ? Could Edward the “ third imagine those to be traitorous in their doc- “ trine, that had that care and duty for their prince, “ as to make them (by statute) guilty of death in “ the highest degree, that had the least thought of “ ill against the king ? Be pleased that Henry the “ fifth be remembered also, who did those wonders, “ of which the whole world does yet resound ; “ and certainly all history will agree in this, that

“ twas Oldcastle he feared, and not those that  
“ believed the bishop of Rome to be head of the  
“ church.

“ We will no longer trouble you with putting  
“ you in mind of any more of our mighty kings who  
“ have been feared abroad, and as safe at home as  
“ any since the reformation of religion. We shall  
“ only add this, that if popery be the enslaving of  
“ princes, France still believes itself as absolute as  
“ Denmark or Sweden.

“ Nor will ever the house of Austria abjure the  
“ pope, to secure themselves of the fidelity of their  
“ subjects.

“ We shall always acknowledge to the whole  
“ world, that there have been as many brave Eng-  
“ lish in this last century, as in any other place  
“ whatsoever: yet, since the exclusion of the ca-  
“ tholic faith, there hath been that committed by  
“ those who would fain be called protestants, that  
“ the wickedest papist at no time dreamt of.

“ Twas never heard of before, that an abso-  
“ lute queen was condemned by subjects, and those  
“ styled her peers; or that a king was publicly tried  
“ and executed by his own people and servants.

“ My lords and gentlemen, we know who were  
“ the authors of this last abomination, and how  
“ generously you strove against the raging torrent;  
“ nor have we any other ends to remember you of  
“ it, but to show that all religions may have a cor-  
“ rupted spawn; and that God hath been pleased  
“ to permit such a rebellion, which our progenitors

“ never saw, to convince you perchance (whom for  
“ ever may he prosper) that popery is not the only  
“ source of treason.

“ Little did we think, (when your prayers and  
“ ours were offered up to beg a blessing on the  
“ king’s affairs) ever to see that day, in which  
“ Carlos Gifford, Whitgrave, and the Pendrels,  
“ should be punished by your desires for that re-  
“ ligion which obliged them to save their forlorn  
“ prince; and a stigmatized man (for his offences  
“ against king and church) a chief promoter of it.  
“ Nay, less did we imagine, that by your votes  
“ Huddleston might be hanged, who again secured  
“ our sovereign; and others free in their fast pos-  
“ sessions that sat as judges, and sealed the exe-  
“ cution of that great prince of happy memory.

“ We confess we are unfortunate, and you just  
“ judges, whom with our lives we will ever maintain  
“ to be so; nor are we ignorant the necessity of  
“ affairs made both the king and you do things,  
“ which formerly you could not so much as fancy.  
“ Yet give us leave to say, we are still loyal; nay,  
“ to desire you to believe so, and to remember how  
“ synonymous (under the late rebellion) was the  
“ word papist and cavalier; for there was never no  
“ papist that was not deemed a cavalier, nor no  
“ cavalier that was not called a papist, or at least  
“ judged to be popishly affected.

“ We know, though we differ something in re-  
“ ligion (the truth of which let the last day judge),  
“ yet none can agree with your inclinations, or are  
“ fitter for your converse than we; for as we have

“ as much birth among us as England can boast of,  
“ so our breeding leans your way both in court and  
“ camp : and therefore, had not our late sufferings  
“ united us in that firm tie, yet our like humours  
“ must needs have joined our hearts.

“ If we err, pity our condition, and remember  
“ what your great ancestors were, and make some  
“ difference between us (that have twice converted  
“ England from paganism) and those other sects  
“ that can challenge nothing but intrusion for  
“ their imposed authority.

“ But 'tis generally said, that papists cannot live  
“ without persecuting all other religions within  
“ their reach.

“ We confess, where the name of protestant is  
“ unknown, the catholic magistrates (believing it  
“ erroneous) do use all care to keep it out: yet in  
“ those countries where liberty is given, they have  
“ far more privileges than we, under any reformed  
“ government whatsoever. To be short, we will  
“ only instance France for all, where they have  
“ public churches, where they can make what pro-  
“ selytes they please, and where it's not against  
“ law to be in any charge or employment. Now  
“ Holland (which permits every thing) gives us,  
“ 'tis true, our lives and estates, but takes away all  
“ trust in rule, and leaves us also in danger of the  
“ scout, whensoever he pleaseth to disturb our  
“ meetings.

“ Because we have named France, the massacre  
“ will perchance be urged against us: but the  
“ world must know, that was a cabinet plot; con-

“ damned as wicked by catholic writers there, and  
“ of other countries also: besides, it cannot be  
“ thought they were murthered for being protes-  
“ tants, since 'twas their powerful rebellion (let  
“ their faith have been what it would) that drew  
“ them into that ill machinated destruction.

“ May it not be as well said in the next catholic  
“ king's reign, that the duke of Guise and cardinal  
“ heads of the league, were killed for their reli-  
“ gion also? Now nobody is ignorant, but 'twas  
“ their factious authority which made that jealous  
“ prince design their deaths, though by unwar-  
“ rantable means.

“ If it were for doctrine that Hugonots suffered  
“ in France, this haughty monarch would soon  
“ destroy them now, having neither force nor towne  
“ to resist his might and puissance. They yet  
“ live free enough, being even members of par-  
“ liament, and may convert the king's brother too,  
“ if he think fit to be so. Thus you see how well  
“ protestants may live in a popish country, under  
“ a popish king: nor was Charlemain more catho-  
“ lic than this; for though he contends something  
“ with the pope, 'tis not of faith, but about Gallican  
“ privileges, which perchance he may very lawfully  
“ do.

“ Judge, then, worthy patriots, who are the best  
“ used, and consider our hardship here in England,  
“ where it is not only a fine for hearing mass, but  
“ death to the master for having a priest in his  
“ house; and so far we are from preferment, that by  
“ law we cannot come within ten miles of London;

“ all which we know your great mercy will never  
“ permit you to exact.

“ It hath often been urged, that our misde-  
“ meanors in queen Elizabeth’s days, and king  
“ James’s time, were the cause of our punishment.

“ We earnestly wish that the party had more  
“ patience under that princess. But pray consider  
“ (though we excuse not their faults) whether it  
“ was not a question harder than that of York and  
“ Lancaster, the cause of a war of such length, and  
“ death of so many princes,—who had most right,  
“ queen Elizabeth or Mary Stuart; for since the  
“ whole kingdom had crowned and sworn allegi-  
“ ance to queen Mary, they had owned her legi-  
“ timate daughter to Henry the eighth; and there-  
“ fore it was thought necessarily to follow by  
“ many; that if Mary was the true child, Elizabeth  
“ was the natural, which must then needs give  
“ way to the thrice noble queen of Scots.

“ Twas for the royal house of Scotland that  
“ they suffered in those days; and ‘tis for the same  
“ illustrious family we are ready to hazard all on  
“ any occasion.

“ Nor can the consequence of the former pro-  
“ cedure be but ill, if a Henry the eighth, (whom  
“ sir W. Raleigh, and my lord Cherbury, two  
“ famous protestants, have so homely characterized)  
“ should, after twenty years cohabitation, turn away  
“ his wife, and this out of scruple of conscience  
“ (as he said); when as history declares, that he  
“ never spared woman in his lust, nor man in his  
“ fury.

“ Now for the fifth of November; with hands  
“ lifted up to heaven we abominate and detest.

“ And from the bottom of our hearts say, that  
“ may they fall into irrecoverable perdition, who  
“ propagate that faith by the blood of kings, which  
“ is to be planted in truth and meekness only.

“ But let it not displease you, men, brethren,  
“ and fathers, if we ask whether Ulysses\* be no  
“ better known? or who have forgot the plots  
“ Cromwell framed in his closet; not only to de-  
“ stroy many faithful cavaliers, but also to put a  
“ lustre upon his intelligence; as if nothing could  
“ be done without his knowledge. Even so did  
“ the then great minister, who drew some few  
“ desperadoes into this conjuration, and then  
“ discovered it by a miracle.

“ This will easily appear, viz. how little the ca-  
“ tholic party understood the design, seeing there  
“ was not a score of guilty found, though all ima-  
“ ginable industry was used by the commons, lords,  
“ and privy council too.

“ But suppose, my lords and gentlemen, (which  
“ never can be granted), that all the papists of  
“ that age were consenting, will you be so severe,  
“ then, to still punish the children for the father’s  
“ faults?

“ Nay such children that so unanimously joined  
“ with you in that glorious quarrel, when you and  
“ we underwent such sufferings, that needs we  
“ must have all sunk, had not our mutual love  
“ assisted.

\* Cecil, the earl of Salisbury, is here alluded to.

“ What have we done that we should now deserve your anger ? Has the indiscretion of some few incensed you ? 'Tis true, that is the thing objected.

“ Do not you know an enemy may easily mistake a mass-bell for that which calls to dinner ?

“ Or a sequestrator be glad to be affronted, being constable ? when 'twas the hatred to his person, and not present office, which perchance egged a rash man to folly.

“ We dare with submission say, let a public invitation be put up against any party whatsoever ; nay, against the reverend bishops themselves, and some malicious informer or other will allege that, which may be far better to conceal.

“ Yet all mankind, by a manifesto on the house door, are encouraged to accuse us ; nor are they upon oath, though your enemies and ours take all for granted and true.

“ It cannot be imagined, where there are so many men of heat and youth (overjoyed with the happy restoration of their prince), and remembering the insolencies of their grandees, that they should all at all times prudently carry themselves ; for this would be to be more than men. And truly we esteem it as a particular blessing, that God hath not suffered many, through vanity or frailty, to fall into greater faults, than are yet, as we understand, laid to our charge.

“ Can we choose but be dismayed (when all things fail) that extravagant crimes are fathered upon us ?

“ It is we must be the authors (some say) of firing  
“ the city, even we that have lost so vastly by it ;  
“ yet in this, our ingenuity is great, since we think  
“ it no plot, though our enemy, an Hugonot pro-  
“ testant, acknowledged the fact, and was justly  
“ executed for his vain confession. Again, if a  
“ merchant of the church of England buy knives  
“ for the business of his trade, this also is a papist  
“ contrivance to destroy the well affected.

“ We must a little complain, finding it, by expe-  
“ rience, that by reason you discountenance us,  
“ the people rage : and again, because they rage,  
“ we are the more forsaken by you.

“ Assured we are, that our conversation is affa-  
“ ble, and our houses so many hospitable receipts  
“ to our neighbours. Our acquaintance, therefore,  
“ we fear at no time ; but it is the stranger we  
“ dread : that (taking all on hearsay) zealously  
“ wounds, and then examines the business when it  
“ is too late, or is perchance confirmed by another,  
“ that knows no more of us than he himself.

“ ‘Tis to you we must make our applications ;  
“ beseeching you (as subjects tender of our king)  
“ to intercede for us in the execution, and weigh  
“ the dilemma, which doubtless he is in, either to  
“ deny so good a parliament their requests, or else  
“ run counter to his royal inclinations, when he  
“ punishes the weak and harmless.

“ Why may we not, noble countrymen, hope for  
“ favour from you, as well as French protestants  
“ find from theirs ? A greater duty than ours none  
“ could express, we are sure ; or why should the

“united provinces, and other magistrates (that are  
“harsh both in mind and manners) refrain from  
“violence against our religion, and your tender  
“breasts seem not to harbour the least compassion  
“or pity?

“These barbarous people sequester none for  
“their faith, but for transgression against the state.  
“Nor is the whole party involved in the crime of  
“a few, but every man suffers for his own and  
“proper fault. Do you then the like, and he that  
“offends, let him die without mercy.

“And think always, I beseech you, of Cromwell’s  
“injustice; who, for the actions of some against his  
“pretended laws, drew thousands into decimation,  
“even ignorant of the thing, after they had vastly  
“paid for their security and quiet.

“We have no other study, but the glory of our  
“sovereign, and just liberty of the subjects.

“Nor was it a mean argument of our duty, when  
“eyery catholic lord gave his voice for the restora-  
“tion of bishops; by which we could pretend no  
“other advantage, but that twenty-six votes (sub-  
“sisting wholly by the crown) were added to the  
“defence of kingship, and consequently a check to  
“all anarchy and confusion.

“Tis morally impossible but that we, who ap-  
“prove of monarchy in the church, must ever be  
“fond of it in the state also.

“Yet this is a misfortune, we now plainly feel,  
“that the longer the late transgressors live, the  
“more forgotten are their crimes, whiles distance  
“in time calls the faults of our fathers to remem-

“ brance, and buries our own allegiance in eternal  
“ oblivion and forgetfulness.

“ My lords and gentlemen, consider, we beseech  
“ you, the sad condition of the Irish soldiers now in  
“ England; the worst of which nation could be  
“ but intentionally so wicked, as the acted villainy  
“ of many English, whom your admired clemency  
“ pardoned. Remember how they left the Spanish  
“ service when they heard their king was in France;  
“ and how they forsook the employment of that  
“ unnatural prince, after he had committed the  
“ never-to-be-forgotten act of banishing his dis-  
“ tressed kinsman out of his dominions. These  
“ poor men left all again to bring their monarch to  
“ his home: and shall they then be forgotten by  
“ you? or shall my lord Douglas and his brave  
“ Scots be left to their shifts, who scorned to re-  
“ ceive wages of those who have declared war  
“ against England ?

“ How commonly is it said that the oath of re-  
“ nouncing their religion is intended for these,  
“ which will needs bring this loss to the king and  
“ you, that either you will force all of our faith to  
“ lay down their arms (though by experience of  
“ great integrity and worth), or else, if some few  
“ you retain, they are such whom necessity hath  
“ made to swear against conscience, and who  
“ therefore will certainly betray you, when a greater  
“ advantage shall be offered. By this test then you  
“ can have none, but whom (with caution) you  
“ ought to shun. And thus must you drive away

“ those who truly would serve you ; for had they  
“ the least thought of being false, they would  
“ gladly take the advantage of gain and pay to  
“ deceive you.

“ We know your wisdom and generosity, and  
“ therefore cannot imagine such a thing ; nor do  
“ we doubt when you show favour unto these, but  
“ you will use mercy to us, who are both your fel-  
“ low subjects, and your own flesh and blood also ;  
“ if you forsake us, we must say the world decays,  
“ and its final transmutation must needs follow  
“ quickly.

“ Little do you think the insolencies we shall  
“ suffer by committee men, &c. whom chance and  
“ lot hath put into petty power. Nor will it choose  
“ but grieve you to see them abused (whom formerly  
“ you loved) even by the common enemies of us  
“ both.

“ When they punish, how will they triumph and  
“ say,—take this (poor romanists) for your love to  
“ kingship ;—and again this, for your long doat-  
“ ing on the royal party, all which you shall receive  
“ from us commissioned by your dearest friends,  
“ and under this cloak we will gladly vent our  
“ private spleen and malice.

“ We know, my lords and gentlemen, that from  
“ your hearts you do deplore our condition ; yet per-  
“ mit us to tell you, your bravery must extend thus  
“ far, as not to sit still, with pity only, but each is  
“ to labour for the distressed, as far as in reality his  
“ ability will reach : some must beseech our gracious

“ sovereign for us, others again must undeceive  
“ the good, though deluded multitude : therefore  
“ all are to remember who are the prime raisers of  
“ the storm ; and how, through our sides, they would  
“ wound both the king and you : for though their  
“ hatred to us ourselves is great, yet the enmity out  
“ of all measure increases, because we have been  
“ yours, and so shall continue even in the fiery day  
“ of trial.

“ Protect us, we beseech you, then, upon all your  
“ former promises, or if that be not sufficient, for  
“ the sakes of those that lost their estates with you ;  
“ many of which are now fallen asleep : but if this  
“ be still too weak, we must conjure you, by the  
“ sight of this bloody catalogue, which contains the  
“ names of your murthered friends and relations,  
“ who in the heat of the battle perchance saved  
“ many of your lives, even with the joyful loss of  
“ their own.”

## LXV. 4.

*Oates's Plot.*

WE now reach the event in this monarch's reign, in which the English catholics are most interested ;—the plot charged on them by Titus Oates. The facts relating to it, are so well known, as to render any particular mention of them, in this place, altogether unnecessary.—The account, which Hume gives of it, is one of the most highly finished parts of his history ; and probably has been perused by every reader of these pages. A more ample account of it, and a collection of

the principal documents relating to it, have lately appeared, in an historical account of it recently published \*.

In his History of James the second, the late Mr. Fox presents the following summary view of the parties concerned in the fabrication or prosecution of the plot. " Although, upon a review of this " truly shocking transaction, we may be fairly " justified in adopting the milder alternative, and " in imputing the conduct of the greater part of " those concerned in it, rather to an extraordinary " degree of blind credulity, than the deliberate " wickedness of planning and assisting in the pre- " paration of legal murders; yet, the proceedings " in the popish plot must always be considered as " an indelible disgrace upon the English nation, in " which the king, parliament, judges, juries, wit- " nesses, prosecutors, have all their respective, but " certainly not their equal, shares. Witnesses of " such a character, as not to deserve credit, in the " most trifling cause,—upon the most immaterial " facts,—gave evidence so incredible, or, to speak " more properly, so impossible, that it ought not to " have been believed, if it had come from the mouth " of Cato; and, upon such evidence, from such wit- " nesses, were innocent men condemned and exe-

\* " An Historical Account of the horrid Plot and Co-  
" spiracy of Titus Oates, called the Popish Plot, in its various  
" branches and progress; selected from the most authentic  
" Protestant Historians; to which are added, some cursory  
" Observations on the Test Act. London, published by M. E.  
" Andrews, 5, Orange-street, Red-lion-square.

“cuted. Prosecutors, whether attorneys-general, “ and solicitors-general, or managers of impeachment, acted with the fury, which, in such circumstances, might be expected. Juries partook “ naturally of the national ferment; and judges\*, “ whose duty it was to guard them against such “ impressions, were scandalously active in confirming them in their prejudices, and inflaming “ their passions. The king, who is supposed to “ have disbelieved the whole of the plot, never once “ exercised his glorious prerogative of mercy.”

In this dreadful scene of wickedness, it is difficult not to assign the pre-eminence of guilt to Anthony Ashley Cooper, earl of Shaftesbury. If he did not first contrive the fictions of Oates, he certainly availed himself of them, to work up the nation to the fury, which produced the subsequent horrors. The only objection to this supposition, is, the absurdity of the circumstances, with which Oates's narrative of the plot was stuffed; and which, it is said, no man of sense could have imagined. To this, his lordship's reply, in a conversation, related in North's *Examen* †, is a complete answer:—“A certain lord,” says Mr. North, “once asked lord Shaftesbury, what he intended

\* “Lord Chief Justice Scroggs took in with the tide and “ranted for the plot, hewing down popery as Scanderbeg “hewed down the Turks. The attorney-general used to say “in the trials for murder, ‘If the man be a papist, then he is “guilty, because it is the interest of papists to murder us all.’” North, *Examen*. p. 130.—Dr. Milner's *Seventh Letter to Dr. Sturges*, p. 304, 6th edition.

† Page 95.

“ to do with the plot, which was so full of non-sense, as would scarce go down with *tantum non idiot*.—What, then, could he promise, by pressing the belief of it upon men of common sense, and especially on parliament? It is no ‘matter,’ says the earl,—‘the more nonsensical, the better. If we cannot bring them to swallow ‘worse nonsense than that, we shall never do any good with them.’”

In extenuation of the delusion of the populace, something may be offered. The defamation of a century and a half had made the catholics the objects of protestant odium and distrust: and these had been increased by the accusation, artfully and assiduously fomented,—of their having been the authors of the fire of the city of London. The publication, too, of Coleman’s letters, substantially harmless, but most imprudently expressed, certainly announced a considerable activity in them to promote the catholic religion; and contained expressions, easily distorted to the sense, in which the favourers of the belief of the plot wished them to be understood. Danby’s correspondence, likewise, which had long been generally known, and was about this time made public, had discovered, that Charles was in the pay of France. These, with several other circumstances, had inflamed the imaginations of the public to the very highest pitch. A dreadful something,—(and not the less dreadful because its precise nature was altogether unknown), was generally apprehended. *Omne ignotum pro magnifico*, is equally true, when the

imagination is shaken by terror, as when it is elevated by admiration.

While the minds of men were in this state of suspense and agitation, another event happened, which wound them up to fury. Sir Edmonbury Godfrey, a magistrate, who had taken Oates's informations, was suddenly missed. After a search of several days, his body was found in a ditch, at Primrose-hill, near Hampstead. Who were the authors of his murder, is even yet a secret; neither has any rational conjecture, respecting the manner of his death, yet been suggested. Hume, however, unequivocally declares, "that his assassination by the 'catholics is utterly improbable." To increase the frenzy of the populace, the dead body was carried into the city, attended by vast multitudes;—publicly exposed; and then buried, with great parade. A funeral sermon was preached. Two able-bodied divines ascended the pulpit; and stood on each side of the preacher, "lest," as it was said, "in 'paying the last duties to the unhappy magistrate, 'he should, before the whole people, be murdered 'by the papists.'—The delusion was general: the city prepared for its defence, as if the enemy were at the gates.—"Were it not," said sir Thomas Player, the chamberlain, "for these precautions, "all the citizens of London would rise with their "heads off."

In this state of the public mind, the trials of several persons, accused by Oates, came on. Coleman was first brought to trial. He was condemned

and executed,—persisting, to the last, in asserting his absolute ignorance of the plot. The trial of father Ireland immediately followed. “He proved,” says Hume, “by good evidence, that he was in “Staffordshire, at the time, when Oates’s evidence “made him in London; and would have proved it “by undoubted; had he not, most iniquitously, “been debarred, when in prison, from all use of “pen, ink, and paper; and denied the liberty of “sending for witnesses.” Several others were executed, for their pretended share in the conspiracy. They all died with great resignation; declaring, with their latest breath, in terms equally modest and explicit, their innocence, and their absolute ignorance of the plot.

The solemn declarations of these unhappy men, the piety and meekness which they showed in their last moments, made, at length, some impression upon the public. It was increased by the acquittal of sir George Wakeman, the queen’s physician; and by the outrageous conduct and gross prevarications of Oates and his associates; on that trial.

Some, however, still persisted in urging the reality of the plot. Five catholic peers were imprisoned in the Tower. “The viscount Stafford,” says Hume, “from his age, infirmities, and narrow capacity, was deemed the least capable of defending himself, and it was therefore determined that he should be the first victim. The clamour and outrage of the populace, during

“ his trial, were extreme. Great abilities and eloquence, were exerted against him by the managers\*,—sir William Jones, sir Francis Whi-

\* Bishop Burnet, in the History of his own Time, (fol. edition, vol. i. p. 489,) records the following extraordinary circumstance, which took place during this trial. “ Turberville,” who was the principal evidence against lord Stafford, “ upon discourse with some in St. Martin’s parish, seemed inclined to change his religion: they brought him to Dr. Lloyd,”—(who was bishop of St. Asaph, when the fact related by Burnet took place,)—“ then their minister: and he convinced him so fully, that he changed upon it: and after that, he came often to him, and was chiefly supported by him: for some months he was constantly at his table: Lloyd had pressed him to recollect all he had heard among the papists, relating to plots and designs against the King or the nation. He said that, which all the converts at that time often said, that they had it among them, that, within a very little while, their religion would be set up in England, and that some of them said, a great deal of blood would be shed before it could be brought about: but he protested that he knew no particulars. After some months dependence on Lloyd, he withdrew entirely from him; and he saw him no more till he appealed now, as evidence against lord Stafford: Lloyd was in great difficulties upon that occasion. It had been often declared, that the most solemn denials of witnesses, before they make discoveries, did not at all invalidate their evidence, and that it imported no more, but that they had been so long firm to their promise of revealing nothing, so that this negative evidence against Turberville could have done lord Stafford no service †. On the other hand, considering the load that already lay on Lloyd, on account of Berry’s business, and that his being, a little before this time, promoted to be bishop of St. Asaph, was imputed to that, it was visible that his discovering this against Tur-

† Surely this conclusion was contrary to common sense, and the established rules of evidence of every civilized nation.

“ nington, and serjeant Maynard. Yet, did the  
“ prisoner, under all these disabilities, make a  
“ better defence than was expected, either by his  
“ friends or his enemies. The unequal contest,  
“ in which he was engaged, was a plentiful source  
“ of compassion to every mind, seasoned with hu-  
“ manity. He remarked the infamy of the wit-  
“ nesses, and the contradictions and absurdities of  
“ their testimony;—and with a simplicity and  
“ tenderness, more persuasive than the greatest  
“ oratory, he made protestations of his innocence,  
“ and could not forbear every moment expressing  
“ the most lively surprise and indignation at the  
“ audacious impudence of the witnesses.

“ It will appear,” continues Hume, “ astonish-  
“ ing to us, as it did to Stafford himself, that the  
“ peers, after a solemn trial of six days, should, by  
“ a majority of twenty-six voices, give sentence  
“ against him. He received, however, with resig-  
“ nation, the fatal verdict.

“ berville would have aggravated those censures, and very  
“ much blasted him.—In opposition to all this, here was jus-  
“ tice to be done, and a service to truth, towards the saving a  
“ man’s life; and the question was very hard to be determined.  
“ He advised with all his friends, and myself in particular. The  
“ much greater number was of opinion that he ought to be  
“ silent. I said, my own behaviour in Staly’s affair showed  
“ what I would do in that case; but his circumstances were  
“ very different: so I concurred, with the rest, as to him.”

In perusing this passage, the reader will probably be at a loss, whom most to admire, bishop Lloyd, who withheld from lord Stafford the benefit of a testimony, which, at least, might have saved his life, or the cool indifference with which bishop Burnet relates the strange event, and his share in it.

“ He prepared himself for death, with the intrepidity which became his birth and station ; and which was the natural result of the innocence and integrity which, during the course of a long life, he had ever maintained. His mind seemed even to collect new force, from the violence and oppression under which he laboured. When going to execution, he called for a cloak to defend him against the rigour of the season. ‘ Perhaps,’ said he, ‘ I may shake with cold ; but I trust in God, not for fear.’ On the scaffold, he continued, with reiterated and earnest asseverations, to make protestations of his innocence. All his fervour was exercised on this point. When he mentioned the witnesses, whose perjuries had bereaved him of life, his expressions were full of mildness and of charity. He solemnly disavowed all those immoral principles, which over-zealous protestants had ascribed, without distinction, to the church of Rome. And he hoped, he said, that the time was now approaching, when the present delusion would be dispelled ; and when the force of truth, though late, would engage the whole world to make reparation to his injured honour.

“ The populace, who had exulted at Stafford’s trial and condemnation, were now melted into tears, at the sight of that tender fortitude, which shone forth in each feature, and motion, and accent of this aged noble. Their profound silence was only interrupted by sighs and groans.

“ With difficulty they found speech to assent to  
“ those protestations of innocence, which he fre-  
“ quently repeated: ‘ We believe you, my lord !  
“ God bless you, my lord ! ’ These expressions,  
“ with a faltering accent, flowed from them. The  
“ executioner himself was touched with sympathy.  
“ Twice, he lifted up the axe, with an intent to  
“ strike the fatal blow; and, as often, felt his re-  
“ solution to fail him. A deep sigh was heard  
“ to accompany his last effort, which laid Stafford,  
“ for ever, at rest. All the spectators seemed to  
“ feel the blow: and when the head was held up  
“ to them, with the usual cry, ‘ this is the head of  
“ a traitor,’ no clamour of assent was uttered. Pity,  
“ remorse, and astonishment, had taken possession  
“ of every heart, and displayed itself in every  
“ countenance.”

It should be mentioned, that, to vindicate the principles of his faith from the heavy and injurious aspersions, thrown out against them, lord Stafford referred to a short treatise, written by a priest of the church of Rome, intituled, “ Roman Catholic Principles, in reference to God and the King\*.”

It is to be observed, that, in the following reign, a bill was brought into the house of lords to reverse the attainder of lord Stafford, and passed the house of lords; but failed in the house of commons.

\* It has been often reprinted, and recently, by the reverend John Kirk, with an elaborate inquiry respecting the previous editions, and the author;—8vo. 1815.—See Appendix, Note I.

Surely, the reversal of it, is an act of justice due from the public to his posterity.

“ The blood of lord Stafford was,” says Hume, “ the last which was shed on account of the popish plot :—an incident, which, for the credit of the nation, it were better to bury in eternal oblivion ; but which it is necessary to perpetuate, as well to maintain the truth of history, as to warn, if possible, their posterity and all mankind, never again to fall into so shameful and so barbarous a delusion.”

With these reflections, Hume concludes his account of this wonderful event.

For many persons, otherwise truly respectable, who suffered themselves to be carried away by the general delusion, some excuse, perhaps, may be found. But, for the judges, who presided at the trials ; or, for the law officers, who conducted the prosecutions, none, certainly, can be offered. All these must have known, that in the trials of men, accused of treason, the only circumstances to be considered, are,—whether the act, on which they are indicted, be treasonable ;—and whether there be legal evidence to convict them of it. Now, it was absolutely impossible, that either the judges, or the officers of the crown, should not have been completely sensible of the total want of legal evidence of guilt, in every case that was brought before the court.

In his assertion, that “ the blood of lord Stafford was the last that was shed on account of the popish plot,” Hume was mistaken ; as the execution of

Dr. Oliver Plunkett, the catholic archbishop of Armagh, took place in the following year. Several protestant writers, as Burnet\*, Echard †, and Baker ‡, speak of this prelate in terms of great respect.—“In the mean time,” says the last of these writers, “came on the trial of Dr. Oliver Plunkett, a popish titular bishop of Armagh, who called himself primate of all Ireland. He was a worthy and a good man; in low circumstances, living quietly and contentedly, meddling with nothing but the concerns of his function; and dissuading all about him from entering into any turbulent or factious multitude. But, while the popish plot was warm, some lewd Irish priests, and others of that nation, hearing that England was disposed to hearken to good swearers, thought themselves qualified for the employment. So they came over, with an account of a plot in Ireland; and were well received by lord Shaftesbury.”—The archbishop was sent over, and brought to trial. The evidence swore, that, upon his being made primate of Ireland, he engaged sixty thousand or seventy thousand Irish to be ready to join with the French, to destroy the protestant religion; and to get Dublin, Londonderry, and all the sea-ports into their hands.” He was first arraigned, and brought to trial in Dublin; and then, contrary to every formality of law, sent over to England; and, after six months close confinement, brought to

\* History of his own Times, vol. i. p. 502.

† History of England, vol. iii. p. 631.

‡ Chronicle, p. 760.

the bar, condemned, and executed.—Standing on the cart, which brought him to the place of execution, he addressed the spectators at length ;—in the most moving terms, unequivocally asserting his innocence ; forgiving the judges and witnesses ; and imploring the blessing of God on the king, and on every branch of the royal family.—Echard relates that “he had been assured, by an unquestionable authority, that the earl of Essex, “(who had been lord lieutenant of Ireland), was “so sensible of the poor man’s hardship, that he “generously applied to the king for a pardon ; and “told his majesty, the witnesses must needs be “perjured ; for, that the things sworn against him, “could not possibly be true. Upon which, the “king, in a passion, said, why did you not attest “this at his trial ? it would have done him good “then. I dare not pardon any one. And so concluded, with the same kind of answer, he had “given another person formerly : his blood be “upon your head, and not upon mine.”

In 1680, while the memory of these transactions was still recent,—and while all the agitators of the impositions were living, a most eloquent and argumentative vindication of the sufferers was published, under the title of “The Papists Plea.” It was afterwards printed among lord Somers’s Tracts ; and several extracts from it may be found in Mr. Andrews’s Historical Account, just cited.—But the most eloquent vindication of the catholics from the charge of being concerned in Oates’s plot, is the “*Apologie pour les Catholiques, contre les*

“fausetés, et les calomnies d'un livre, intitulé, La “Politique du Clergé de France : fait première-“ment en François, et puis traduit en Flamand. “A Liege, 1681.” 2 vols. 8vo. The celebrated Arnaud was the author of this work. In powerful reasoning, and splendid eloquence, it has seldom been equalled. In these terms, cardinal Maury mentions it, in his “Essai sur l’Eloquence de la “Chaire.” If any doubt remain upon any mind, respecting the fabrication, or the imposture, of the plot, the perusal of Arnaud’s *Apologie* must remove it.

In the following reign, Oates was tried, and condemned for perjury. “And never was a criminal,” says Hume, “convicted on fuller, or more un-“doubted evidence.”

For their supposed part in the plot, ten laymen and seven priests, one of whom was seventy, another eighty years of age, were executed. Seventeen others were condemned, but not executed. Some died in prison, and some were pardoned. On the whole body of catholics, the laws were executed with horrible severity. Individuals are still living, whose fathers have told them what their fathers used to relate of the wretchedness and misery of the general body, whilst the delusion lasted. Even at that distance of years, few of these could speak of it, without evident agitation and horror.

On this occasion, Hume has certainly done justice to the catholics:—but the writer can assure his readers, that they can form no conception of the wicked arts that were practised to instil the be-

lief of the plot into the public mind, and to induce juries to find the catholic prisoners guilty of the plot, and of the death of sir Edmondbury Godfrey, without perusing the trials themselves. All the information which the reader can desire, is collected in Mr. Andrews's publication,—yet, it principally was from these scenes, that the ancient prejudice against the catholics originated.

## LXV. 6.

*The Act disabling Peers from sitting and voting in the House of Lords.*

THE calamities of the catholics, in the reign of Charles the second, were aggravated by the long odium, which the infamous charges brought against them, had created ; and which it required nearly a century to subdue. They were aggravated also by a legislative act, which even yet subjects them to several depressing and painful disabilities.

The Test and Corporation Acts have been mentioned : to these, the roman-catholics are subject in common with all protestant dissenters :—the act to which we now allude, was passed in the thirtieth year of Charles. It contained a declaration, commonly called the declaration against popery,—denying transubstantiation ; and asserting the invocation of the Virgin Mary and other saints, and the sacrifice of the mass, to be superstitious and idolatrous. It prescribed that no peer should vote, or make his proxy in the house, or sit there, during the debates ; and that no member of the house of commons should vote in the house, or sit there,

daring any debate, until he should first take the oaths of allegiance and supremacy, and make and subscribe the declaration, contained in the act.

The act passed the commons without much opposition ; "but, in the upper house," says Hume, "the duke of York moved, that an exception might be admitted in his favour. With great earnestness, and even with tears in his eyes, he told them, that he was now to cast himself on their kindness, in the greatest concern which he could have in the world ; and he protested, that whatever his religion might be, it should only be between God and his own soul. Notwithstanding this strong effort, in so important a point, he prevailed only by two voices."

With the reign of Charles the second, the sanguinary part of the penal code against the roman-catholics finally closes.

#### LXV. 7.

*Summary Review, by a Protestant Writer, of the Religious Persecutions in England, from the Reformation till the end of the reign of Charles the second.—General Reflections on them.*

"IT is," said Mosheim, "an observation often made, that all religious sects, when they are kept under and oppressed, are remarkable for inculcating the duties of moderation, forbearance, and charity, towards those who dissent from them; but that, as soon as the scenes of persecution are removed, and they, in their turn, arrive

“ at power and pre-eminence, they forget their own precepts and maxims ; and leave both the recommendation and practice of charity to those that groan under their yoke.” The events, which form the subject of the present pages, too well exemplify the truth of this observation.

Of the persecution alternately inflicted upon, and inflicted by the protestant non-conformists, Robinson, in his History of the Persecutions of Christians, gives the following extraordinary account :

“ On the death of queen Mary, Elizabeth succeeded to the throne. Elizabeth being a protestant, and being likewise taught by suffering, under the reign of her sister,—the protestants blessed themselves, that now their cause was established ; and every friend of mankind hoped persecution would now cease. A church, calling itself protestant, was indeed established ; but, this queen imitated her father, in persecuting both protestants and papists. Elizabeth was a princess of most arbitrary principles and character ; ambition was her ruling passion ; and he, who contradicted her,—died. The protestant bishops were continually employed in preaching in favour of arbitrary power, and persecuting all who dissented either from their political or theological creed. If any one wrote any thing against arbitrary power, either in church or state, he was immediately condemned and put to death, as an author of seditious publications ; against which, convenient laws were enacted, to

“ please the queen and the priests. If any one  
“ refused to conform to the least ceremony in  
“ worship, he was cast into prison; where, for this  
“ offence, many of the most excellent men in the  
“ land perished.

“ Two protestants, of the anabaptist faith, this  
“ accomplished queen burnt for heresy; and many  
“ more of the same denomination she banished  
“ for the same crime. She also put two heretics to  
“ death, who had adopted the faith of Brown, the  
“ father of the independents; and, a little before  
“ this, she butchered some papists for their ancient  
“ heresy. The archbishops Parker and Whitgift  
“ are ‘ damned to eternal fame,’ for the brutal part  
“ they took in this cruel carnage. Indeed, the  
“ whole reign of Elizabeth, though distinguished  
“ by the political prosperity of England, as far as  
“ great fame and good fortune abroad can be called  
“ prosperity, is nothing but a series of arbitrary  
“ and flagitious conduct, pointing to the destruc-  
“ tion of all liberty, civil and religious, and full of  
“ murder for religious opinions. Elizabeth herself  
“ had no religion; but was openly profane, and  
“ addicted to common cursing and swearing.  
“ Without the weakness of Mary, she had Mary’s  
“ heart, thirsting for human blood.

“ James the first succeeded Elizabeth on the  
“ throne of England; and united the two kingdoms  
“ of England and Scotland. Educated a presby-  
“ terian; the friends of reformation expected, at  
“ once, a cessation of persecution, and the protec-  
“ tion and countenance of the young king. In

“ both, they were grievously disappointed. The  
“ protestant churches of England and Scotland  
“ had laid down persecution as a mark and evi-  
“ dence of a false church ; but, if their mark were  
“ a just one, neither of them merited the honour-  
“ able appellation of a true church. When James  
“ ascended the throne, his first concern appears to  
“ have been the maintenance of his prerogative,  
“ and the extension of his power. He eagerly  
“ looked around him for those who were best in-  
“ clined to secure him these advantages.—Expe-  
“ rience had taught him, that the rough manners  
“ of the presbyterian clergy showed them to be  
“ ill adapted to this purpose. They had too often  
“ been to him the instruments of restraint ; and  
“ had shown too little disposition to flatter his  
“ vanity, or assert the omnipotence of his power.  
“ —In the English clergy, and especially the  
“ bishops, he found men every way fitted for his  
“ purpose. Every tyrant is, in his turn, a syc-  
“ phant ; and every sycophant is, in his turn, a  
“ tyrant,—is a maxim founded on experience ; and  
“ James perceived that those, whose pleasure was  
“ the burning of others, would conform to any  
“ thing to please him, from whom they derived  
“ their power. His standing maxim soon was,  
“ ‘ no bishop, no king ;’ for, he found no other  
“ men, whose endeavours were equally to be de-  
“ pended upon, in securing unlimited obedience  
“ in the people, and asserting unlimited authority  
“ in the prince. To bribe their exertions in favour

“ of despotism, he published edicts, full of the old  
“ spirit of persecution.—Baneroft, the pious bishop,  
“ was at once his adviser and agent. The king  
“ published a proclamation, commanding all pro-  
“ testants to conform strictly, and without any  
“ exception, to all and singular the rites and cere-  
“ monies of the church of England ; and granted  
“ indulgence to tender consciences to none, but  
“ roman-catholics, of all his numerous subjects in  
“ England.

“ The spirit of this proclamation was directed  
“ by Baneroft to the heads of thousands of pro-  
“ testant non-conformists. Above five hundred  
“ clergy were immediately silenced or deprived,  
“ for not complying with some slight ceremonies.  
“ Some were excommunicated, and some banished  
“ the country. Every means was used to distress  
“ dissenters. They were deprived, censured, fined  
“ in the star-chamber, and used in the most violent  
“ and arbitrary manner. Worn out with endless  
“ vexations, and unceasing persecutions, many  
“ retired to Holland, and from thence to America,  
“ seeking, amongst untutored savages and roaring  
“ wild beasts, that mercy they were denied by pro-  
“ testant bishops and priests in their native land.  
“ Amongst the most illustrious of these fugitives  
“ was Mr. Robinson, the father of the independents  
“ in America.—James, dreading the consequence  
“ of such numerous emigrations, prohibited them;  
“ but without effect. It is witnessed, by a most  
“ judicious historian, that in this, and some follow-

“ ing reigns, twenty-two thousand persons were  
“ banished from England, by persecution, to  
“ America.

“ To stifle the spirit of inquiry, hostile, at all  
“ times, to arbitrary power, in church and state,  
“ and to promote universal thoughtlessness and  
“ ignorance, James published the Book of Sports,  
“ to be read in churches, which, on their refusing  
“ to comply with the requisition to read it, was the  
“ means of depriving and silencing all the clergy  
“ of honour and conscience in the nation.

“ When Charles the first ascended the throne,  
“ he early discovered very arbitrary principles of  
“ government; and, agreeably to the schemes of  
“ such as have ever attempted to enslave mankind,  
“ he flattered the priesthood, in their most daring  
“ usurpations. It is an observation of the authors  
“ of the Independent Whig, that where there are  
“ no dissenters from the established worship; there  
“ exists not a free man in the nation. This is an  
“ observation, founded on the experience of ages,  
“ that the power of the clergy is the death-warrant  
“ of liberty.—Charles soon discovered his whole  
“ heart, by marrying a roman-catholic, and placing  
“ the infamous Laud at the head of both state and  
“ church. Laud was another Thomas-à-Becket;  
“ and had powers equally formidable, being arch-  
“ bishop of Canterbury, and the first man in the  
“ state. He, indeed, lived in times not quite so  
“ benighted; yet ignorance, bigotry, and super-  
“ stition, were even yet almost universal. A proof  
“ of this may be found in the conduct of the better

“ sort of priests in Ireland, in this reign. A number  
“ of pious bishops, with the famous archbishop  
“ Usher at their head, published a protest against  
“ the toleration of roman-catholics, not on account  
“ of their political principles being supposed dan-  
“ gerous, but because they did not dare to concur  
“ in the toleration of catholics, lest they (the pro-  
“ testant bishops), should be involved in the sin of  
“ idolatry. Here are men, prepared to exterminate  
“ the human race, because they do not adopt  
“ their creed; and, piously acknowledge their in-  
“ fallibility!—Laud pushed the great business of  
“ persecution to its utmost bounds, and gave the  
“ nation more exercise in this way, than it was  
“ inclined to suffer. Numbers, torn to pieces by  
“ this protestant bishop, in their families and pro-  
“ perty, fled to America, and founded the settlement  
“ of Massachusetts Bay. They were the fathers of  
“ the first asserters of liberty, in the last war.

“ A. D. 1630, the learned Dr. Leighton wrote  
“ a book against the hierarchy; and felt, to his  
“ cost, that his good mother was inclined to chas-  
“ tise as much as to cherish her offspring; when  
“ they called in question her high authority.—He  
“ was sentenced in the high commission, in a fine  
“ of 10,000*l.*, perpetual imprisonment, and whip-  
“ ping. 1st. He was whipped, and then placed in  
“ the pillory. 2dly. One of his ears cut off.  
“ 3dly, One side of his nose slit. 4thly. Branded  
“ on the cheek with a red hot iron, with the letters  
“ S. S. whipped, a second time, and placed in  
“ the pillory; about a fortnight afterwards, his

“ sores being yet uncured, he had the other ear  
 “ cut off; the other side of his nose slit, and the  
 “ other cheek branded. He continued in prison,  
 “ till the long parliament set him at liberty. Arch-  
 “ bishop Laud had the honour of conducting this  
 “ prosecution.”

The singular feature of the persecutions, thus inflicted by the protestants of the establishment on the puritans, is, (to use the expression of Neale \*) that, “ in point of faith, there was no substantial difference in doctrine, between the church of “ England and the puritans; so that these were “ turned out of the church, for things, which their “ adversaries acknowledged to be of mere indiffer-“ ence; whereas the puritans took it in their con-“ sciences, and were ready to aver, in the most “ solemn manner, that they deemed them unlaw-“ ful. Incredible as it may appear, the point “ which principally occasioned this animosity was, “ the habits,—that is, the dress,—particularly the “ surplice,—of the clergy.

But no sooner were the presbyterians possessed of the power of the state, than in their turn they became persecutors †.

“ In 1643, the long parliament,” continues Mr. Robinson, “ interdicted the freedom of the

\* Chap. iv.

† Dr. Gauden, in his petitionary remonstrance to the pro-  
 tector, states the number of sequestered clergy to have been  
 between 6,000 and 7,000.

“ press ; and appointed licensers of the press,—  
“ a singular introduction this,—to the establish-  
“ ment of the liberty they promised.

“ In 1645, an ordinance was published, subject-  
“ ing all, who preached, or wrote against the pres-  
“ byterian directory for public worship, to a fine,  
“ not exceeding fifty pounds ; and imprisonment,  
“ for a year, for the third offence, in using the  
“ episcopal book of common prayer, even in a  
“ private family.—Such was the spirit of presby-  
“ terian toleration !

“ The following year, when the king had sur-  
“ rendered to the Scots, the presbyterians applied  
“ to parliament, pressing them to enforce unifor-  
“ mity in religion, and to extirpate popery, pre-  
“ lacy, heresy, schism, agreeably to the solemn  
“ league and covenant ; and to establish presby-  
“ terianism, by abolishing all separate congrega-  
“ tions, and preventing any, but presbyterians,  
“ from all offices under government. A resolution  
“ of greater folly, madness, and persecution, was  
“ never formed by any fanatics, which have dis-  
“ graced the world. The parliament did not  
“ approve of this madness ; and the independents,  
“ (a sect, which first asserted general toleration),  
“ opposed it, with becoming spirit.

“ Those infallible teachers, the London presby-  
“ terian ministers, and the ministers in Glouces-  
“ tershire, published their protest, and testimony  
“ against all errors ; and especially that greatest  
“ of all errors, toleration. They seem to be at a

“ loss for words to express their deep abhorrence  
“ of the damnable heresy, called toleration, or an  
“ indulgence to tender consciences.” They call  
it, “ the error of toleration, patronizing and pro-  
“ moting all other errors, heresies, and blasphemies  
“ whatsoever, under the grossly-abused notion of  
“ liberty of conscience. These wise gentlemen  
“ needed no liberty of conscience :—they were  
“ right ;—others were blasphemous heretics, to  
“ be damned for their pleasure hereafter ; and  
“ who ought to have been burnt, for their satis-  
“ tisfaction and delight here.

“ On the 2d of May 1648, the English parlia-  
“ ment, being ruled by the presbyterians, published  
“ an ordinance against heresy, as follows ; viz.  
“ that all persons, who shall maintain, publish,  
“ or defend, by preaching or writing, the follow-  
“ ing heresies, with obstinacy, shall upon complaint,  
“ or proof by the oath of two witnesses, before two  
“ justices of the peace, or confession of the party,  
“ be committed to prison, without bail or main-  
“ prize, till the next gaol delivery ; and in case the  
“ indictment shall be found, and the party on his  
“ trial shall not abjure his said errors, and his de-  
“ fence and maintenance of the same, he shall  
“ suffer the pains of death, as in case of felony, with-  
“ out benefit of clergy ; and if he recant or abjure,  
“ he shall remain in prison till he find securities,  
“ that he will not maintain the said heresies or  
“ errors any more ; but if he relapse, and be con-  
“ victed a second time, he shall suffer death.”

Such were the offences of each party against

the sacred duty of religious toleration. Much has been said, and is still daily said, of the persecuting spirit of the catholics.—That they have been frequently guilty of persecution, must be acknowledged:—but, is the spirit of persecution less discernible, in the instances which Robinson has enumerated, and which we have just cited from him?

It is not a little remarkable, that, while the puritans were suffering under these laws, and filling the world with their just complaints against them, they were, by an unaccountable inconsistency, uniformly clamorous for the execution of the laws against the catholics, and even for fresh enactments against them. They also repeatedly forced, both the first James and the first Charles against their own views of policy, and their own natural dispositions, into the most sanguinary measures. The fact is, that the doctrine of toleration was neither understood, nor felt, by any party: all were equally guilty: men, otherwise most humane and charitable,—many of them learned, and, in other respects, enlightened in the highest degree, were the warm advocates of persecution.

A fairer, or a more honourable name than that of archbishop Usher, or a more learned man, the church of England cannot produce:—yet, did this venerable man, with a file of musketeers, enter the catholic chapel, in Cork-street Dublin, during the celebration of divine service, seize the priest in his vestments, and hew down the crucifix: yet, did this venerable man, with eleven other Irish

prelates, sign, what is termed, "the judgment of divers of the archbishops and bishops of Ireland, on the toleration of religion,"—and declare by it, "that the religion of the papists was superstitious and idolatrous; their faith and doctrine erroneous and heretical; their church, in respect to both, apostatical: that, to give them, therefore, a toleration, or to consent that they may freely exercise their religion, is a grievous sin." It is observable too\*, that the circumstance, we have just mentioned, took place, at a time when Charles the first was in his greatest distress; and the catholics of Ireland were straining every nerve to assist him.—Surely, the archbishop must have forgotten the just rebuke, which, not long before this time, himself had given to a clergyman, for a want of charity.—Being wrecked on a desolate part of the Irish coast, he applied to a clergyman for relief; and stated, without mentioning his name, or rank, his own sacred profession. The clergyman rudely questioned it, and told him peevishly, that "he doubted, whether he knew the number of the commandments." "Indeed I do," replied the archbishop mildly, "there are eleven." "Eleven!" said the clergyman; "tell me the eleventh, and I will assist you."—"Obey the eleventh," said the archbishop, "and you certainly will.—A new commandment I give unto you,—that ye love one another."

\* See Mr. Plowden's Historical Review of the State of Ireland, vol. i. c. iv.

It is pleasing, however, to add, that while Usher declared against toleration in Ireland, Dr. Jeremy Taylor advocated it in England, in his "Discourse on the Liberty of Prophesying,"—an immortal work; abounding in passages of the closest reasoning and strains of eloquence seldom equalled. It was published in 1647; and, therefore, long preceded the liberal treatise of Grotius "De Jure summorum principum circa sacra," published in 1661; Bayle's "Commentaire Philosophique, sur ces paroles de Jésus Christ, con-  
“traignez les d'entrer,” first published in 1686,—and Locke's Six Letters upon Toleration, the first of which appeared in 1689.—By preceding the treatises of Grotius and Bayle, Dr. Taylor has conferred on his country the honour of having produced the first regular treatise on toleration. Long, however, before this time, its existence in Utopia had been supposed by sir Thomas More:—and long before Utopia was imagined, St. Martin of Tours had refused to communicate with the persecutors of the Priscillianists, on account of their religious intolerance; and long before Tours was edified by the virtues of St. Martin, the Son of Man had rebuked the sons of Zebedee for wishing that a shower of fire might descend on the incredulous Samaritans.

A new edition of Dr. Taylor's Liberty of Prophesying has been recently published. The work concludes with the following apologue; it would be well that every child should learn it by heart:

—“When Abraham sat at his tent-door, according to his custom, waiting to entertain strangers, he espied an old man, stooping, and leaning on his staffe, weary with age and travel, coming towards him,—who was an hundred years of age ; he received him kindly, washed his feet, provided supper, caused him to sit down ; but, observing, that the old man eat and prayed not, nor begged for a blessing on his meal, asked him, why he did not worship the God of heaven ? The old man told him, that he worshipped the fire only, and acknowledged no other god : at which answer, Abraham grew so zealously angry, that he thrust the old man out of his tent, and exposed him to all the evils of the night, and an unguarded condition. When the old man was gone, God called to Abraham, and asked him where the stranger was : he replied, ‘ I thrust him out, because he did not worship thee.’ God answered him, ‘ I have suffered him, these hundred years, although he dishonoured me ; and couldst not thou endure him one night, when he gave thee no trouble ? ’ Upon this, saith the story, Abraham fetched him back again, and gave him hospitable entertainment and wise instruction.—Go thou and do likewise ; and thy charity will be rewarded by the God of Abraham ! ”

## CHAP. LXVI.

JAMES THE SECOND.

1685.

NOTWITHSTANDING his imprudence and weakness,—notwithstanding even his offences against the constitution, a generous mind will always read the history of James the second \*, with compassion; and this compassion will rise to a higher feeling, when he considers, that the misfortunes of the monarch were owing, in a great measure, to his sincere and undissembling mind; and to the treacherous counsels of his principal minister,—the earl of Sunderland,—who even formally embraced and most openly professed the roman-catholic religion, in order to deceive his royal master the more effectually. We shall present our readers, I. With some miscellaneous observations on his character: II. With some account of the principal events, which led to the revolution in 1688: III. Of the visit of James to the monastery of La Trappe: IV. Of his death: V. And with transcripts of those parts of the historical poems of Dryden, which relate to the occurrences in the reigns of Charles the second and James the second, in which the English roman-catholics were particularly concerned.

\* The fragment of the history of this reign, by the late Mr. Fox, though open to objection, is a noble production, and does honour to his memory.

## LXVI. 1.

*Miscellaneous Observations on the Character of James.*

THE sincerity, which we have ascribed to James, has generally been admitted. His industry, perseverance, and skill in the official details of business, have been universally allowed. Never, since his reign, has the nation been without obligations to him : " It does not appear," says Mr. Clarke\*, " that the difficulties, which James had to struggle with, have always been sufficiently considered by historians ; nor does it appear, that the essential and lasting service, which James rendered to his country, in compacting, and, as it were, building up its naval power, have been sufficiently weighed. It is not generally known, that the naval regulations, now in force, are taken, almost verbatim, from those which he established ; or that, when lately the board of naval revision wished to add to, and improve the naval regulations, they sent for the papers of Pepys, the marine secretary of James, as being the best materials whence they could obtain the object they had in view."

The sincerity of James, has, it is true, been questioned in those reiterated promises, which he made of preserving the liberties of the nation ; and which, in every part of his short reign, he re-

\* In the preface to his edition of the " Life of James the second, collected out of Memoirs written with his own hand," p. xxxi.

peatedly violated. This objection is, however, satisfactorily answered, by observing, that these invasions of the national rights were perfectly reconcileable with the monarch's own notions, however erroneous, of the constitution ; so that, although they were certainly gross infractions of it, still they were not such in his opinion.

His disturbing the legal settlement of the religion of his country, has been a subject of still more severe reprehension. Had he maturely examined what was the greatest degree of toleration, which the actual temper of the times, and the welfare of his country, would allow him to procure for his catholic subjects ; had he prepared the public mind to receive this favourably ; and had he established it by a legislative act,—then, it would have been a salutary measure, and have placed him among the benefactors of humanity. But,—(even if he contemplated nothing beyond complete toleration),—he yet aimed at more than the times would bear ; and he attempted to accomplish his aim by means, which were wholly repugnant to the constitution. His aim may, perhaps, admit of some excuse ; the means, to which he resorted, admit of none.

Still, one circumstance should be related, which seems to show, that he possessed the true spirit of toleration. On the revocation of the edict of Nantes, a large proportion of the Hugonots took refuge in this country. The hospitality, with which they were received, was most exemplary ; and James himself animated the spirit of the nation, both by his ex-

hortations and his example.—A silent reproof of his great ally, Lewis the fourteenth, and his wretched advisers\*.

## LXVI. 2.

*Principal Circumstances which led to the Revolution.*

FEW circumstances, however, had a greater effect than this measure of Lewis, in increasing the alarm, which already subsisted in a high degree; of the designs which James was then more than suspected to have conceived, for introducing the free exercise of the roman-catholic religion into his kingdoms. If the nation had reasoned justly, it would have occurred to them, that the oppressions, which had driven the French sufferers from their native country, were considerably less than those, to which the English catholics had been subject during more than a century, and which had recently been inflicted on them with extreme rigour. This reflection should have suggested the justice and propriety of an immediate repeal of the most

\* In the Life of James the second, written by himself, (Macpherson's State Papers, vol. i. p. 51,) we find this passage: "The duke of York, at Tunbridge, assured Dr. Owen, that he had no bitterness against the non-conformists. He was against all persecution, merely for conscience sake, looking on it as an unchristian thing and absolutely against his conscience."—The same writer observes, (ib. 576.) from the Nairne Papers, "that notwithstanding the enthusiasm of the prince and his submissive obedience in spirituals, it appears that he never intended to acknowledge the pope's supremacy in temporal concerns."

obnoxious of those laws: but the public feeling took a different direction, and dwelt altogether on the alleged persecuting spirit of the religion, which Lewis professed, and a dread of its horrors, if the schemes imputed to James should be realized, and catholics obtain the ascendancy. This naturally increased the jealousies of the monarch's views, and the apprehensions entertained of their consequences.

The first step taken by James to carry them into effect, was an attempt to intimidate the parliament. In his speech from the throne to the two houses at the opening of the sessions, he openly avowed his claim to the dispensing power. The house of commons voted an address to him against it: in his answer, he insisted on his right; after it was read by the speaker, a silence of some moments ensued: at length Coke, the member for Derby, rose in his place and boldly said, "I hope we are all Englishmen, and not to be frightened by a few hard words." He was reproved, and ordered to the Tower; but the sullenness of the house continued. The lords, after voting thanks generally to the king for his speech, appointed a day for taking it into consideration, with an avowed intention of discussing the obnoxious passage.

Thus foiled in his hopes of the subserviency of parliament, the next effort of James was made through the medium of the courts of justice. He gave to sir Edward Hales a commission of colonel: sir Edward accepted it, and entered on the duties of the rank without qualifying himself for it, according to the provisions of the test act: with

these James dispensed : it was contrived, that the coachman of sir Edward should prosecute him for the penalty of 500*l.* which the test act gave to the informer. Sir Edward pleaded the dispensation ; and thus, by a feigned action, the general question was brought to a direct issue. The decision of the judges was unanimous in its favour : but James had previously displaced four of them, and substituted in their stead, four on whose pliancy he could rely.

Encouraged by this success, and either unaware that public opinion was against him, or ignorant of its importance, James proceeded to bolder measures ; he brought five catholic lords, Powis, Arundell, Bellasye and Dover, and father Petre a jesuit, into the privy council. He conferred the office of privy seal on lord Arundell, and putting his treasury into commission, placed lord Bellasye at its head : he also advanced some catholics in the army and navy.

He then sent the earl of Castlemain ambassador extraordinary to Rome : the pope received him very coolly, but sent a nuncio to England : the king gave the nuncio a public and solemn reception at Windsor. Four catholic bishops were publicly consecrated by the nuncio ; a pastoral letter, framed by them, and addressed to the lay catholics of England, was published by the king's allowance, and several of the regular clergy were permitted to appear publicly in the habits of their order. The pastoral letter is intituled, "A Pastoral Letter from the Catholic Bishops to the Lay Catholics of Eng-

“ land,” 4to. Holyrood-house, by P. B. engraver: it is comprised in eight pages. They begin it by observing to them, that “ Episcopal authority, to which they and their catholic ancestors had long been deprived, had been lately, by a merciful providence of God, and the piety of his majesty, restored to them.”

They exhort the faithful “ to charity, to unity of spirit, to love their protestant neighbours, to inoffensiveness, to assiduousness at the divine service, in imitation of his majesty, to passive obedience.—After observing that his majesty had favoured many among them with a share in the government, they recommended loyalty, and an active discharge of duty:—and conclude with a blessing. Signed, John, bishop of Adrume, v. a. Bonaventure, bishop of Madoura, v. a. Philip, bishop of Aureliopolis, v. a. James, bishop of Callipoli, v. a.”

James then ventured on the step which made an irreparable breach between him and the established church. Having required the bishop of London to suspend Dr. Sharpe from his clerical functions, for a sermon, in which he had mentioned conversions to the roman-catholic religion in terms of contumely, and the bishop having refused to comply, James issued an ecclesiastical commission, by which seven commissioners were appointed, with unlimited authority over the church of England, and with the same inquisitorial and arbitrary powers, as had been vested in the court of high commission established by queen Elizabeth, and abolished in

the reign of Charles the first. The commissioners instantly proceeded against the bishop and the doctor, and, by a majority of votes, suspended both from their functions.

His majesty then attempted to impose a catholic president on Magdalen college in Oxford, and to procure seven bishops, who had presented a petition to him against some of his measures, to be condemned for the libel supposed to be expressed by the petition. This completed the alienation of the public mind.

Finally, he issued a proclamation, by which he suspended all the penal laws in ecclesiastical affairs, and granted a general liberty of conscience to all his subjects\*. Hume,—but for this he cites no

\* It is idle to contend, that these acts were justifiable in consequence of a dispensing power inherent in the monarch, as part of his legal and constitutional prerogative.

No respectable advocates for the existence of this power ever contended, that the exercise of it was lawful except on extraordinary occasions, when the public welfare rendering such an exercise of it necessary, it was justified by this very necessity, and limited to the occasion: they also admitted, that it could only be exercised in favour of particular persons, in particular instances, and for a particular time. Such a general exercise of it, as amounted to a total repeal of an existing law, they considered inadmissible: it evidently was a violation of the first principle of our constitution, by which powers of legislation cannot be exercised by the king, without the two houses of parliament. Most of its advocates allowed that the king could not dispense with the common law; and most of them also contended that he could dispense with those statutory provisions only, which concerned his own profit and interest. Those who wish to have an accurate notion of this important question, may usefully peruse the case of Thomas

authority,—asserts that the catholics, at this time, were scarcely the hundredth part of the people,

against Sorrell, in Vaughan's Reports, 330; sir Edward Hale's case, the case of the Seven Bishops, in the State Trials:—and the treatises written on the subject by lord chief baron Atkins and Mr. Atwood.

In 1767, an important question on the dispensing power became a subject of parliamentary discussion. A scarcity of wheat in the preceding summer induced the late king, by the advice of the privy council, to issue a proclamation against the importation of corn till the advice of the ensuing parliament could be taken. The conduct of the ministers in advising this proclamation was severely arraigned in parliament. The necessity of the measure was allowed, and the minister justified its legality by the statute of the 15 Charles II, which permits a prohibition of the exportation of corn and grain, when they are under a certain specified price. But doubts being entertained on the construction of this act, it became necessary to justify the measure on the broad ground that, “ whenever the public is in imminent danger, and the concurrence of parliament cannot be obtained, the king has an inherent discretionary legal prerogative of suspending or dispensing with the law.” This doctrine, or something certainly which sounded very like it, was avowed by lord Chatham, and, which was thought more surprising, by lord Camden. It was opposed by lord Mansfield: he showed, with equal power of eloquence and argument, that according to the true principles of the constitution, the king has no power, absolutely discretionary, of suspending or dispensing with the laws of the country; that, in the supposed case of imminent danger, he ought to exert such a power, and the constitution authorizes him to exert it; but that he then exerts the power at the peril of the ministers, who advise the measure; and that it is for parliament afterwards to determine whether the danger existed, and the public safety rendered the exercise, which was made of the prerogative, a measure of necessity: on their being satisfied of the necessity, they should indemnify both those

and that the protestant non-conformists were little more than the twentieth. If this calculation be even tolerably exact, it is evident, that, even though James had possessed every talent, which he wanted, his means for the accomplishment of his object would still have been very inadequate.

It should also be observed, that none disapproved of the arbitrary measures of the monarch, more than the catholics themselves. "All judicious persons of the catholic communion," says Hume, "were disgusted with those measures; and foresaw their consequences. Lord Arundell, lord Powis, and lord Bellasyse, remonstrated against them, and suggested more moderate councils."—The Spanish ambassador, and even the pope himself, pointed out to James the indiscretion of his proceedings. When lord Tyrconnel disclosed his plans for catholicising Ireland, lord Bellasyse declared, "he was fool and madman enough to ruin ten kingdoms."

by whom it was advised, and those by whom it was executed; but still, that, until this indemnity is obtained, all concerned in the proceeding are legally punishable.

It was universally admitted, that lord Mansfield, who had often showed an unwillingness to combat with his noble adversaries singly, obtained on this occasion a complete triumph over their united powers. His lordship's speech was printed separately, and is inserted in Almon's Parliamentary Debates of the year 1767. The result was an act of indemnity: the preamble expressly recited, "that the embargo could not be justified in law." This was one of the most important constitutional adjudications that have occurred in our history.

Yet,—with all his misconduct, James had an English heart :—his exclamation, at the sea-fight of La Hogue, will ever be remembered.—Seeing the seamen in swarms scrambling up the lofty sides of the French ships from the boats, he cried,—“ Ah! none but my brave English could do so brave an action !”

Who, therefore, that reflects on these, and on some other passages, in the monarch’s life, does not sympathize in his agonizing woe, when he was told, that Churchill, whom he had raised from a page to a high rank in the army, and on whom he had conferred a peerage, had fled,—taking with him to the prince of Orange, the princess Anne, whom the monarch tenderly loved ?—“ Oh my “ God ! ” exclaimed the afflicted father, “ what will “ become of me ! even my own children have for- “ saken me ! ”—On one occasion, sir Charles Littleton observed before him, that “ he was ashamed “ to say, his son was with the prince of Orange.”—James gently interrupted him with these words :—“ Alas ! sir Charles, why ashamed ! are not my “ daughters with him too ? ”

### LXVI. 3.

#### *The Visit of James to the Monastery of La Trappe.*

THE subsequent history of the exiled Stuarts, sir John Dalrymple has comprised in a few words. “ Retiring from the view of the battle of La Hogue, “ the monarch said,—Heaven fought against him ! “ All his attempts, and those of his family after-

“wards, to recover the throne of their ancestors,  
“were either disappointed by the insincerity of  
“French friendship, or were the mere efforts of  
“despair.”

“The attempt,” says Voltaire\*, “to make, or  
“to establish a state religion, is sometimes very  
“easy. By different methods, and without en-  
“countering any dangers, Constantine, Clovis,  
“Gustavus Vasa, and queen Elizabeth, established  
“a new religion, in their several kingdoms: but,  
“for such changes two things are absolutely neces-  
“sary, great political talents, and favourable cir-  
“stances: James the second had neither.”

The complete triumph of the British fleet at  
the sea-fight of La Hogue, was a death wound to  
the hopes of James: “Slowly and sadly,” says sir  
John Dalrymple†, “he returned to bury the remem-  
“brance of his former greatness in the monastery  
“of La Trappe.”

The following account of his visit to that cele-  
brated monastery, is given by a contemporary  
French writer of eminence‡.

“James had heard of La Trappe, in the days of  
“his prosperity. After his misfortune, he resolved  
“to visit a solitude, he had so long felt a curiosity  
“to see.

“As soon as M. de Rancé heard of his arrival,  
“he advanced to meet him, at the door of the

\* Siècle de Louis XIV. c. 15.

† Memoirs of Great Britain, vol. i. p. 509.

‡ Marsollier, “Vie de Jean-Baptiste Armand de Rancé  
“abbé de la Trappe.”

“monastery. The king was on horseback. As soon  
“as he alighted, the abbot prostrated himself be-  
“fore him. This is the custom with respect to  
“all strangers. Nevertheless, it was in this in-  
“stance, performed in a manner expressive of  
“peculiar respect.

“The king felt pain at seeing the abbot in this  
“humiliating posture before him. He raised him  
“up, and then entreated his benediction. This  
“the abbot gave, accompanying it with a speech  
“of some length. He assured his majesty, that he  
“thought it a great honour to see a monarch, who  
“was suffering for the sake of Christ; who had  
“renounced three kingdoms, from conscientious  
“motives. He added, that the prayers of the  
“whole community had been constantly offered up  
“in his behalf.—They had continually implored  
“Heaven, to afford him renewed strength, that he  
“might press on, in the power of God, till he should  
“receive an eternal and immortal crown.

“The king was then conducted to the chapel.  
“They afterwards conversed together for an hour.  
“James joined in the evening service, by which he  
“appeared much edified and consoled.

“The king’s supper was served up by the monks,  
“and consisted of roots, eggs, and vegetables. He  
“seemed much pleased with all he saw. After  
“supper, he went and looked at a collection of  
“maxims of christian conduct, which were framed  
“and hung up against the wall.—He perused them  
“several times; and, expressing how much he ad-  
“mired them, requested a copy.

“ Next day, the king attended the chapel. He  
“ communicated with the monks. This he did,  
“ with great devotion. He afterwards went to see  
“ the community, occupied at their manual labour,  
“ for an hour and a half. Their occupations  
“ chiefly consist of ploughing, turning, basket mak-  
“ ing, brewing, carpentry, washing, transcribing  
“ manuscripts, and book-binding.

“ The king was much struck with their silence  
“ and recollection. He, however, asked the abbot,  
“ if he did not think they laboured too hard? M. de  
“ Rancé replied, ‘Sire, that, which would be hard  
“ to those, who seek pleasure, is easy to those, who  
“ practise penance.’—In the afternoon, the king  
“ walked for some time on a fine terrace, formed  
“ between the lakes, surrounding the monastery.  
“ The view from this spot is peculiarly striking.

“ His Britannic majesty then went to visit a  
“ hermit, who lived by himself in a small hut,  
“ which he had constructed in the woods surround-  
“ ing La Trappe. In this retreat, he spent his time  
“ in prayer and praise; remote from all intercourse  
“ with any one, excepting the abbot de la Trappe.  
“ This gentleman was a person of rank: he had  
“ formerly been distinguished, as one of the bravest  
“ officers in king James’s army. On entering his  
“ cell, the monarch appeared much struck, and  
“ affected with the entire change in his demeanor  
“ and expression of countenance.

“ In a short time, he recovered himself.—After  
“ a great variety of questions, the king asked him,  
“ ‘at what hour in the morning, he attended the

“ service of the convent, in winter?” He answered,  
“ at about half past three.”

“ ‘ But,’ said lord Dumbarton, who was in the  
“ king’s suite, ‘ surely that is impossible. How  
“ can you traverse this intricate forest in the dark?  
“ Especially at a season of the year, when, even  
“ in the day-time, the road must be undiscernible,  
“ from the frost and snow.’

“ ‘ My lord,’ replied the hermit, ‘ I should  
“ blush to esteem these trifles as any inconvenience,  
“ in serving a heavenly monarch, when I have so  
“ often braved dangers, far more imminent, for the  
“ chance of serving an earthly prince.’

“ ‘ You are right,’ the king said. ‘ How won-  
“ derful, that so much should be sacrificed to  
“ temporal potentates; whilst so little should be  
“ endured in serving Him, the only King, immortal  
“ and invisible, to whom alone true honour and  
“ power belong—that God, who has done so much  
“ for us !’

“ ‘ Surely, however,’ continued lord Dumbarton  
“ to the hermit, ‘ you must be thoroughly tired  
“ with passing all your time alone in this gloomy  
“ forest?’

“ ‘ No,’ interposed the king, himself replying to  
“ the question; ‘ he has, indeed, chosen a path  
“ widely different to that of the world. Death,  
“ which discovers all things, will show that he has  
“ chosen the right one.’

“ The king paused for a reply; none being  
“ made, he continued: ‘ There is a difference,’ said  
“ he, turning to the hermit, ‘ between you, and

“ the rest of mankind : you will die the death  
“ of the righteous ; and you will rise at the resur-  
“ rection of the just. But they,—here he paused ;  
“ his eyes seemed full of tears, and his mind absent,  
“ as if intent on painful recollection.

“ After a few moments, he hastily rose, and  
“ taking a polite and kind leave of the gentleman,  
“ returned with his retinue to the monastery.

“ During his whole stay, the king assisted at all  
“ the offices. In all of them he manifested a deep  
“ and fervent devotion. His misfortunes seemed  
“ to have been the means of awakening his heart,  
“ to worship God in spirit and in truth.

“ Next day, the king prepared to depart at an  
“ early hour.

“ On taking leave, he threw himself at M. de  
“ Rancé’s feet ; and, with tears, requested his part-  
“ ing benediction.

“ The abbot bestowed it in a most solemn and  
“ affecting manner.

“ The king, on rising, recognized the monk on  
“ whose arm he leaned, to get up. He was a noble-  
“ man who had long served in his army, (the  
“ honourable Robert Graham). ‘Sir,’ said the  
“ king, addressing himself to him, ‘ I have never  
“ ceased to regret the generosity, with which you  
“ made a sacrifice of a splendid fortune in behalf  
“ of your king. I can, however, now grieve at it  
“ no longer ; since I perceive that your misfortunes  
“ in the service of an earthly monarch, have proved  
“ the blessed means of your having devoted your  
“ heart to a heavenly one.’

“ The king then mounted his horse and de-  
“ parted.

“ James the second, from that period, repeated  
“ his visits to La Trappe annually.

“ On these occasions, he always bore his part in  
“ the exercises of the community. He often assisted  
“ at the conferences of the monks, and spoke with  
“ much unction. It is said, that the king's character  
“ appeared to undergo a strikingly perceptible,  
“ though a progressive change.

“ He, every year, appeared to grow in piety and  
“ grace; and he evidently increased in patience and  
“ submission to the Divine will.

“ In 1696, the queen accompanied the king to  
“ La Trappe. She was accommodated for three  
“ days, with all her retinue, in a house adjoining  
“ the monastery, built for the reception of the com-  
“ mendatory abbots. She was much pleased with  
“ her visit, and expressed herself to be not less  
“ edified than the king.

“ Both of them entertained sentiments of the  
“ highest veneration for M. de Rancé. Their ac-  
“ quaintance, thus begun, was soon matured into a  
“ solid friendship.

“ They commenced a correspondence, which was  
“ regularly maintained on both sides, till M. de  
“ Rancé's death.

“ The following are the terms, in which the  
“ king expressed himself, respecting M. de Rancé:

“ ‘ I really think nothing has afforded me so much  
“ consolation, since my misfortune, as the conver-  
“ sation of that venerable saint, the abbot de la

“ Trappe. When I first arrived in France, I had  
“ but a very superficial view of religion; if I might  
“ be said to have any thing deserving that name.  
“ The abbot de la Trappe was the first person, who  
“ gave me any solid instruction with respect to  
“ genuine christianity.

“ ‘ I formerly looked upon God as an omnipotent  
“ creator, and as an arbitrary governor. I knew  
“ his power to be irresistible: I therefore thought  
“ his decrees must be submitted to, because they  
“ could not be withheld. Now, my whole view is  
“ changed. The abbot de la Trappe has taught  
“ me to consider this great God as my father; and  
“ to view myself as adopted into his family. I now  
“ can look upon myself as become his son, through  
“ the merits of my Saviour, applied to my heart by  
“ his Holy Spirit. I am now convinced, not only  
“ that we ought to receive misfortunes with patience,  
“ because they are inevitable; but I also feel as-  
“ sured, that death, which rends the veil from all  
“ things, will probably discover to us as many new  
“ secrets of love and mercy in the economy of God’s  
“ providence, as in that of his grace. God, who  
“ gave up his only Son to death for us, must surely  
“ have ordered all inferior things by the same spirit  
“ of love.’

“ Such were king James’s sentiments respecting  
“ M. de Rancé. The abbot, on the other hand,  
“ entertained as high an opinion of him. The fol-  
“ lowing passage, concerning the unfortunate king  
“ of England, occurs in one of M. de Rancé’s letters  
“ to a friend.

“ ‘ I will now speak to you, concerning the king  
“ of England. I never saw any thing more striking,  
“ than the whole of his conduct. Nor have I ever  
“ seen any person, more elevated above the tran-  
“ sitory objects of time and sense. His tranquillity  
“ and submission to the Divine will, are truly mar-  
“vellous. He really equals some of the most holy  
“ men of old, if indeed he may not be rather said  
“ to surpass them.

“ ‘ He has suffered the loss of three kingdoms ;  
“ yet his equanimity and peace of mind are undis-  
“ turbed. He speaks of his bitterest enemies,  
“ without warmth. Nor does he ever indulge in  
“ those insinuations, which even good men are apt  
“ to fall into, when speaking of their enemies.  
“ He knows the meaning of two texts of scripture,  
“ which are too much neglected :—‘ It is given you  
“ to suffer ;’ and, ‘ Despise not the gift of God ! ’  
“ He, therefore, praises God for every persecution  
“ and humiliation which he endures. He could  
“ not be in a more equitable state of mind, even if  
“ he were in the meridian of temporal pros-  
“ perity.

“ ‘ His time is always judiciously and regularly  
“ appropriated. His day is filled up in so exact a  
“ manner, that nothing can well be either added  
“ to or retrenched from his occupations.

“ ‘ All his pursuits tend to the love of God and  
“ man. He appears uniformly to feel the Divine  
“ presence. This is perhaps the first and most  
“ important step in the divine life. It is the  
“ foundation of all which follow.

“ The queen is in every respect influenced by  
“ the same holy desires.

“ The union of these two excellent persons,  
“ is founded on the love of God.

“ It may be truly termed, a holy and a sacred  
“ one.”

## LXVI. 4.

*Death of James.*

THE last moments and death of the unfortunate monarch are thus described by sir James Macpherson from the papers in the Scottish college at Paris\* :—

“ The steps taken by William and the States,  
“ against the house of Bourbon, were no secret at  
“ the court of France. But intelligence of the  
“ conclusion of the treaty could not have arrived  
“ at Versailles, when an incident happened, which  
“ induced Lewis, perhaps too precipitately, to de-  
“ clare himself in opposition to England. The  
“ unfortunate king James, having ever since the  
“ peace of Ryswick, lost every hope of being re-  
“ stored to the throne, had resigned himself to all  
“ the austerities of religious enthusiasm. His con-  
“ stitution, though vigorous and athletic, had, for  
“ some time, begun to yield to the infirmities of  
“ age, and to that melancholy, with which super-  
“ stition, as well as his uncommon misfortunes,  
“ had impressed his mind. In the beginning of  
“ September, when he was, according to his daily  
“ custom, at public prayers, he fell suddenly into

\* History of Great Britain and Ireland, vol. ii. p. 214.

“ a lethargy ; and though he recovered soon after  
“ his senses, he languished for some days, and ex-  
“ pired on the 6th of September. The French  
“ king, with great humanity, paid him several visits  
“ during his sickness ; and exhibited every symptom  
“ of compassion, affection, and even respect.

“ Lewis being under a difficulty how to proceed  
“ upon the expected death of James, called a coun-  
“ cil to take their advice, whether he should own  
“ the prince of Wales as king of Great Britain and  
“ Ireland. The king himself had hesitated long  
“ on this delicate point. But the dauphin, the  
“ duke of Burgundy, and all the princes of the  
“ blood declared, that it was unbecoming the dig-  
“ nity of the crown of France, not to own that the  
“ titles of the father devolved immediately upon  
“ the son. Lewis approving of a resolution to  
“ which he had been of himself inclined, resolved  
“ to inform the dying king, in person, of the de-  
“ termination of the council. When he arrived at  
“ St. Germain’s, he acquainted first the queen, and  
“ then her son of his design. He then approached  
“ the bed in which James lay, almost insensible  
“ with his disorder. When James, rousing him-  
“ self, began to thank his most christian majesty  
“ for all his favours, the latter interrupted him,  
“ and said : ‘ Sir, what I have done is but a small  
“ matter. But what I have to say is of the utmost  
“ importance.’ The people present began to re-  
“ tire. ‘ Let no person withdraw,’ he said, ‘ I  
“ come to acquaint you, sir, that when God shall  
“ please to call your majesty from this world, I  
“ shall take your family into my protection, and

“ acknowledge your son, as then he will certainly  
“ be, king of Great Britain and Ireland.”

“ The voice of a Divinity could not have made  
“ a greater impression on the unfortunate servants  
“ of James, who were all present, than this unex-  
“ pected declaration from the French king. They  
“ burst at once into a murmur of applause, which  
“ seemed to be tinctured with a mixture of grief  
“ and joy. Some, threw themselves, in silence, at  
“ his feet. Others wept aloud. All seemed to be  
“ so much affected, that Lewis himself was melted  
“ into tears. James, in a kind of ecstacy, half-  
“ raised himself on the bed, and endeavoured to  
“ speak. But the confused noise was so great, and  
“ he so weak, that his voice could not be heard.  
“ The king himself, as if unable longer to bear this  
“ melancholy scene, retired. But, as he passed  
“ through the court of the palace, he called the  
“ officer of the guard, and ordered him to treat the  
“ young prince as king, whenever his father should  
“ expire. Though James survived this declaration  
“ but one day, he sent the earl of Middleton to  
“ Marli to thank his most christian majesty for his  
“ kindness to himself and his promised protection  
“ to his family. Upon his death, his son was ac-  
“ knowledged by the court and the nation. Lewis  
“ himself visited him in form, and treated him with  
“ the name of majesty. But the adherents of the  
“ nominal king, chose not to proclaim him with the  
“ usual solemnity, not knowing how the title of  
“ France would be taken by that prince, who was  
“ the only support of his cause.”

## LXVI. 5.

*Historical Poems of Dryden, on the Occurrences in the reigns of Charles the second and James the second, in which the English Catholics were particularly interested.*

DRYDEN's historical poems,—Absalom and Ahithophel, the Medal, Religio Laici, and the Hind and Panther, contain several passages, which throw light both on the religious and political feuds, by which the reigns of Charles the second and his successor were agitated. These splendid monuments of genius,—in their kind, without a rival or a second,—are inserted in the ninth and tenth volumes of the edition of the poet's works by sir Walter Scott, and frequently illustrated by his learned and ingenious annotations.

The condition of the roman-catholics at the time when Dryden wrote, is thus described by him :

“ The inhabitants of Old Jerusalem  
 “ Were Jebusites\*,—the town so call'd from them ;  
 “ And theirs the native right.—  
 “ But, when the chosen people † grew more strong,  
 “ The rightful cause at length became the wrong ;  
 “ And every loss the men of Jebus bore,  
 “ They still were thought God's enemies the more.  
 “ Thus worn and weaken'd, well or ill content,  
 “ Submit they must to David's government ;  
 “ Impov'rish'd and depriv'd of all command,  
 “ Their taxes doubled, as they lost their land ;  
 “ And what was harder yet to flesh and blood,  
 “ Their gods disgrac'd, and burnt like common wood.

\* The Catholics.

† The Protestants.

Dryden seems to have thought, when he wrote his Absalom and Ahithophel, that Oates's plot was not wholly a fabrication : he describes it,

“ The nation's curse,  
“ Bad in itself, but represented worse :  
“ Prais'd in extreme, and in extreme decried ;  
“ With oaths affirm'd, by dying vows denied.  
“ Some truth there was, but dash'd and brew'd with lies.

And that,

“ Succeeding times did equal folly call,  
“ Believing nothing, and believing all.”

It now seems clear, that the plot, as it was described by Oates, was a mere fabrication ; and that the greatest faults which could, with any degree of justice, be charged upon any catholics, were,—their entertaining too sanguine an expectation of the immediate conversion of the kingdom to their faith ; an occasional injudicious activity in promoting it ; and the unguarded language, by which some,—as father Coleman in his well known letters,—described their prospects and expressed their hopes.

Sir Walter Scott observes, that, from the “ time  
“ of the execution of lord Stafford, the popish plot,  
“ like a serpent which has wasted its poison,  
“ though its wreathes entangled many, and its  
“ terrors held their sway over more, did little ef-  
“ fectual mischief : but that even, when long life-  
“ less and extinguished, the chimera, far in the  
“ succeeding reigns, continued, like the dragon  
“ slain by the red-cross knight, to be the object

“ of popular fear, and the theme of credulous  
“ terrorists:

“ Some fear'd and fled; some fear'd and well it fain'd.—  
“ One, that would wiser seem than all the rest,  
“ Warn'd him not touch; for yet, perhaps, remain'd  
“ Some ling'ring life within his hollow breast,  
“ Or in his womb might lurk some hidden nest  
“ Of many dragonettes, his fruitful seed;  
“ Another said, that, in his eyes did rest  
“ Yet sparkling fire, and bade thereof take heed;  
“ Another said, he saw him move his eyes indeed.”

It is known that several of the witnesses for the plot afterwards became witnesses against lord Shaftesbury and the whigs. “ This,” sir Walter Scott observes\*, “ was triumphantly urged by the tories. Are not these men good witnesses, upon whose testimony, Stafford and so many catholics have been executed, and whom you yourselves have so long celebrated, as men of virtue and veracity? You have admitted them into your bosom; they are best acquainted with your treasons.”—“ To this,” sir Walter observes, “ there was but one answer: ‘ We have been duped by our own prejudices, and the perjury of these men.’—But this, though the whigs true defence, required a candid disavowal of the popish plot; and reprobation of the witnesses; and that, no true protestant would submit to.”

The *Religio Laici* of Dryden is allowed to be one of the most admirable poems in the language.

\* *Medal; note 9.*

It is observed by the editor, that, "at the time, " in which it appeared, the nation was divided "into the three great sects, of churchmen, papists, " and dissenters. To the catholics, the dissenters "objected their cruel intolerance and jesuitical " practices; to the church of England, their servile "dependence on the crown, and slavish doctrine "of non-resistance. The catholics, on the other "hand, charged the reformed church of England "with desertion from the original doctrinés of "christianity, with denying the infallibility of gene- "ral councils, and destroying the unity of the "church; and against the fanatics, they objected "their antimonarchical tenets, the wild visions of "their independent preachers, and their seditious "cabals against the church and state. While the "church of England was thus assailed by two foes, "who did not at the same time spare each other, "it probably occurred to Dryden that he, who "could explain her tenets, by a plain and philoso- "phical commentary, had a chance, not only to fix "and regulate the faith of her professors, but of "reconciling to her, as a middle course, the catho- "lics and the fanatics.—A rational and philoso- "phical view of the tenets of the national church "liberally expressed, and decorated with the orna- "ments of poetry, seemed calculated to produce "this effect."

Every christian reader who peruses the following lines, in the poem, of which we are now speaking, will respect both the talents of the poet, and the purpose, to which, on this occasion, he devoted them :

" If on the book itself\* we cast our view,  
 " Concurrent heathens prove the *story* true :  
 " The *doctrine*, miracles ;—which must convince ;  
 " For heaven in them appeals to human sense ;  
 " And though they prove not, they confirm the cause,  
 " When what is taught agrees with nature's laws.  
 " Then,—for the style,—majestic and divine,  
 " It speaks no less than God, in every line ;  
 " Commanding words, whose force is still the same  
 " As the first fiat that produc'd our frame.  
 " All faiths beside, or did by arms ascend,  
 " Or sense indulg'd, has made mankind their friend ;  
 " This only doctrine does our lusts oppose,  
 " Unfed by nature's soil, in which it grows ;  
 " Cross to our interests, curbing sense and sin ;  
 " Oppress'd without, and undermin'd within,  
 " It thrives through pain ; its own tormentors tires,  
 " And, with a stubborn patience, still aspires ;  
 " To what can reason such effects assign,  
 " Transcending nature, but to laws divine ? "

As yet, Dryden was within the protestant pale ; but several parts of the poem show that he was pacing to the catholic side. He intimates that the Bible should be received with the interpretation of the early fathers : still, he asserts the right of private judgment, but expresses a strong wish for an infallible guide.

This, by becoming a convert to the roman-catholic religion, he afterwards found ; and to this circumstance we owe "The Hind and the Panther," probably the best controversial poem in any language. The object is to recommend an union between the milk-white hind,—(the catholic religion,) — who must be loved as soon as seen and known,

\* The Bible.

—and the panther,—(the established church),—the noblest next the lion, and too good to be a beast of prey,—against their common enemies, the bear, the hare, the ape, the boar, and the fox, or the independents, the quakers, the free-thinkers, the anabaptists, and the unitarians. It is justly observed by sir Walter Scott, that the object of the poem shows that Dryden was not in the secret of James the second, as the purpose of the monarch was to introduce a free exercise of the catholic religion, not by an union between its adherents and the members of the established church, but by uniting the dissenting congregations in a common interest, with the hind, against the exclusive power and privileges of the panther and her subjects.

The poet thus describes, with exquisite beauty, his own wanderings and final settlement :—

“ What weight of ancient witness can prevail,  
 “ If private reason holds the public scale ?  
 “ But, gracious God ! how well dost thou provide,  
 “ For erring judgments an unerring guide !  
 “ Thy throne is darken’d in th’ abyss of light ;  
 “ A blaze of glory that forbids the sight.  
 “ O ! teach me to believe thee, thus conceal’d,  
 “ And search no further than thyself reveal’d :  
 “ But her alone for my direct’ress take,  
 “ Whom thou hast promis’d never to forsake !  
 “ My thoughtless youth was wing’d with vain desires ;  
 “ My manhood, long misled by wand’ring fires,  
 “ Follow’d false lights ; and when their glimpse was gone  
 “ My pride struck out new sparkles of my own.  
 “ Such was I,—such by nature still I am ;  
 “ Be thine the glory and be mine the shame,  
 “ Good life be now my task,—my doubts are done !—

Two fables of exquisite beauty, close this noble poem. The first, is founded on an historical anecdote; the fact it relates, if true, now seems to be forgotten.—The hind, warmed with the prospect of the near accomplishment of her hopes, indulges herself in some lines of decent exultation. To check it, the panther recounts to her, with a sneer, the disastrous tale of the swallows, who long had possessed

“ Their summer seat, and feather’d well their nest;—  
when yellow leaves and bitter blasts admonished  
them,

“ To remove betimes,  
“ And seek a better heaven and warmer climes.”

A council was held; and a speedy removal to a more genial clime appeared to be the wish of the majority of the tribe; but the marten, their household chaplain, moved for a delay and carried his motion. On the very following night a bitter frost came on,

“ And Boreas got the skies, and pour’d amain  
“ His rattling hail-stones, mix’d with snow and rain:  
“ The joyless morning late arose,—and found  
“ A dreadful desolation reign around :  
“ Some buried in the snow, some frozen to the ground ;  
“ The rest were struggling still with death, and lay  
“ The crows and ravens right,—an undefended prey :  
“ Except the marten’s race, for they and he  
“ Had gained the shelter of an hollow tree.”

These lines, we are informed by sir Walter Scott, refer to a secret consultation; held in 1686, by the principal roman-catholics at the Savoy. Perceiving

the general temper of the nation, the catholics had taken alarm; and the meeting was called "to consult how the favourable crisis might be most improved to the advantage of their cause. Father Petre had the chair, and at the very opening of the debate, it appeared that the majority were more inclined to provide for their own security, than to come to extremities with protestants. Notwithstanding the king's real power and success, they were afraid to push the experiment any further. The people were already alarmed, the soldiers could not be depended upon, and the very courtiers melted out of their grasp.—Upon these considerations, some were for a petition to the king, that he would only so far interpose in their favour, that their estates might be secured to them by the parliament, with exemption from all employments, and liberty to worship God in their own way in their own houses. Others were for obtaining the king's leave to sell their estates, and transport themselves and their effects into France: —all, but father Petre, were for a compromise of some sort or other; but he disclaimed whatever had a tendency to moderation, and was for making the most of the voyage, while the sea was smooth and the wind prosperous. All these several opinions, we are further told, were laid before the king, who was pleased to answer, 'That before their desires were made known to him, he had procured a sure retreat and sanctuary for them in Ireland, in case all those endeavours, which he was making for their security in

“England, should be blasted, and which as yet  
“gave him no reason to despair.””

To the monitory tale of the panther respecting the swallows, the hind opposes the tale of the poultry, or the catholic priests, whom, for his own immediate service, the king kept in a private farm, but whom the pampered pigeons,—or the clergy of the established church, beheld with malignant eyes, and,

“ Though hard their fare at evening and at morn,  
“ A cruse of water or an ear of corn,  
“ Yet still they grudg’d that modicum, and thought  
“ A sheaf in every single grain was brought;  
“ And much they griev’d to see so nigh their hall,  
“ The bird \* that warn’d St. Peter of his fall;  
“ That he should raise his mitred crest so high,  
“ And clap his wings, and call his family  
“ To sacred rites, and vex th’ ethereal powers  
“ With midnight matins at uncivil hours.”

Dryden proceeds to mention the achievements of the buzzard, or bishop Burnet, who put himself at the head of the pigeons, and made a furious attack on the poultry.—Still, however, were they protected by the sovereign.—But the buzzard anticipated his future triumph,—(an anticipation too well and too often realized), over the miserable pigeons,

“ When, rent in schism,—(for so their fate decrees,)  
“ Like the tumultuous college of the bees,  
“ They fight their quarrel—by themselves oppress;  
“ The tyrant smiles below, and waits the falling feast †.”

---

\* The cock,—emblem of the regular clergy of Rome, on account of their nocturnal attendance at matins.

† We feel that the extracts, which we have made from these

## CHAP. LXVII.

## WILLIAM THE THIRD.

1688.

THE reign of William the third, so far as it particularly affected his roman-catholic subjects, is admirable poems, are too long;—one more, however, we cannot refuse to ourselves the pleasure of transcribing; we are confident that our readers will peruse it with delight.—Alluding to the slanders of his character, by bishop Stillingfleet, the bard thus expresses himself in strains,—

“ ————— Far,  
“ Above the flight of Pegasean wing.”

MILTON.

“ Be vengeance wholly left to powers divine,  
“ And let heaven judge between your sons and mine!  
“ If joys hereafter must be purchas'd here,  
“ With loss of all that mortals hold most dear,  
“ Then, welcome infamy and public shame!  
“ And last,—a long farewell to worldly fame!—  
“ 'Tis said with ease;—but O! how hardly tried  
“ By haughty souls, to human honour tied!  
“ O! sharp convulsive pangs of agonizing pride!  
“ Down then thou rebel! never more to rise!  
“ And what thou didst and dost so warmly prize,  
“ That fame,—that darling fame,—make that thy sacrifice.  
“ 'Tis nothing thou hast given:—then add thy tears  
“ For a long race of unrepenting years:—  
“ 'Tis nothing yet:—yet, all thou hast to give:  
“ Then add, those may-be years thou hast to live:—  
“ Yet nothing still!—then, poor and naked come,  
“ Thy Father will receive his unthrift home,  
“ And thy blest Saviour's blood discharge the mighty sum.”

Happy

remarkable on this account, that, while the attachment, which they were supposed to entertain for the exiled family, rendered their allegiance to his majesty suspected, and thus furnished a new pretence for the persecution of them, the spirit of religious liberty, which had for some time been gaining ground in several parts of Europe, began to operate in their favour, and thus rendered the reign of this monarch, though some new laws were enacted in it against them, the era from which the commencement of their enjoyment of religious toleration may be dated.—As leading to this subject, we shall now endeavour to present our readers, with

Happy is the man who receives calumny with these sentiments!—“Did a person,” the celebrated abbot de Rancé used to observe, “but know the value of an enemy, he would purchase him with gold, that he might pardon him, and thus entitle himself to the pardon, which the eternal truth has promised to those, who pardon their enemies.”—Life of the abbot de Rancé, c. xiii.

---

We have made every exertion in our power to procure for our readers further information, on the interesting, if real, consultations mentioned in the preceding annotation. The authorities which sir Walter Scott adduces to support his account of them, are, “Ralph’s History,” and a work cited in it, under the title of “Catholic Consults.” For the last, the writer has made the most diligent inquiries, without success.

The passage cited in the text from Dryden’s “Tale of the Poultry,” contains such an exact account of the consequences of the resolution in respect to the catholics, that the writer suspects it was written after that event. If this conjecture be just, the tale will be found only in those editions of the poem, which were printed after the revolution.

a very succinct outline; I. Of the history of religious tolerance and intolerance: II. Of the act of toleration passed in the reign of William in favour of the protestant dissenters: III. Of the schism of the non-jurors: IV. And of the laws enacted against the roman-catholics.

## LXVII. 1.

*Historical Minute of religious Tolerance and Intolerance.*

1. THE advocates of religious intolerance justify it by several passages in the history of the *Old Testament*, in which the Mosaic code punishes the inobservance of religious precepts by severe penal inflictions, and sometimes by death.

But they forget the theocracy of the Israelites.—By their own free consent, God was their king.—“God was king in Israel \*:”—and when, in the time of Samuel, the Jews asked for a mortal sovereign, God announced to them, that “they rejected “him,—that he should not reign over them †.” The whole territory of the Jews was his property: they were his vassals; they were only usufruetuaries of their lands, they could not dispose of them in perpetuity ‡: the escheat or ultimate reversion, as an English lawyer would term it, of all the land in Judæa, belonged to God, as their legal sovereign,

Thus the injunction of some practices, and the prohibition of others, were, by the law of Moses,

\* Deut. xxxiii. 5.      † 1 Sam. viii. 7; x. 18, 19.

‡ Gen. xlvi. 19, 20; Lev. xxv. 23.

not merely precepts of the Divine law:—such they certainly were,—but they were also laws of the state; and disobedience to them was both a sin against God, the supreme Lord of all, and a crime against God, their accepted king.—Thus the idolater was not merely a spiritual delinquent; he was also a national traitor\*. God is temporal king in no other state:—no argument, therefore, in favour of religious persecution in any other kingdom, is offered by the penal inflictions on idolatry by the Mosaic law.

2. Religious liberty was not allowed by the *pagan legislation* of antiquity, in so extensive a degree as has been often represented †. By the law of Athens, the act of introducing foreign deities was punished with death: the law of Rome was not so severe; Mosheim and Bynkershoek seem to prove, that, though the Romans would not allow any change to be made in the religious worship, publicly professed in the empire, nor any new form to be openly introduced, yet that, except when it threatened danger to the state, they granted a free toleration of foreign worship, not only to individuals, but to bodies of men.

\* See "Commentaries on the Laws of Moses, by the late  
" sir John David Machælis, K. B. S. F. R. S. professor of philo-  
" sophy in the university of Gottingen; translated from the  
" German, by Alexander Smith, D. D. minister of the chapel  
" of Garcock, Aberdeenshire, 1814," vol. i. art. xxxiii. xxxiv.  
xxxv.

† See the late sir George Colebrook's excellent Letters on  
Toleration.

The christians, whose mild, unassuming, and benevolent morality entitled them to universal goodwill, were alone denied the benefit of this general toleration. From the reign of Nero, till the triumph of Constantine the great over his rival Licinius, they were always treated with harshness, and repeatedly suffered the severest persecutions.

3. The favour of Constantine to the christians, was shown immediately after his first successes, by his repeal of the laws enacted against them. He restored them, by the edict of Milan, to all their civil and religious rights; and he allowed them, in common with the rest of his subjects, the free choice and exercise of their religion. In the general dispensation of his favours, he held, with an impartial hand, the balance between his christian and heathen subjects. His successors, except during the short interval of the reign of Julian, strongly encouraged christianity, and discountenanced heathenism. Finally, by the edicts of Theodosius, the ancient worship of Rome was proscribed, and christianity became the established religion of the empire. Till those edicts, the spirit of polytheism had lingered among the principal nobility of Rome; after them, it lingered among the Grecian philosophers: but by his edict in 529, Justinian silenced the schools of Athens; and to that æra, the final extinction of paganism is always assigned.

4. It is distressing to reflect how large a portion of the annals of the *christian æra* must be dedicated to the history of persecution: particularly as nothing

is more contrary to the language or the spirit of the Gospel. These prescribed, first, that the offender should be privately admonished ; if this should prove ineffectual, one or two of the brethren were to give their sanction to the justice of the admonition ; if this failed, the matter was to be brought under the cognizance of the church ; if the offender then proved refractory, he was to be excommunicated ;—that is,—expelled from the communion of the faithful. It was thought, that the sentence was generally ratified in heaven. The primitive churches might judge erroneously, but while they retained their original sanctity and purity, the probability was in favour of the justice of their proceedings.—In proportion as they degenerated, error became more probable ; still, a sentence of excommunication was always, among serious christians, a just cause of alarm. No rank exempted a person from it : even the emperor Theodosius was excommunicated by St. Ambrose, the bishop of Milan, and submitted to a penance of eight months, before the prelate restored him to the communion of the faithful.

Generally speaking, a person excommunicated in a particular church was not admitted into communion in any other : where a subordination was adopted, the excommunicated person sometimes appealed to the next higher tribunal : it was always lawful for him to appeal to the see of Rome, as the highest.

Still, all was regulated by the power of the keys, or the spiritual power. The first interference

of the temporal power in spiritual concerns seems to have been against Paul, bishop of Samosata, when the emperor Aurelian, on the application of a christian synod, expelled him from the episcopal mansion\*.—The emperor Constantius proceeded against the Arians by imprisonment, and ordered their books to be burned: his son Constantius proceeded in the same manner against the orthodox. Honorius, the emperor of the east, was the first sovereign who made heresy a capital crime; but it does not appear that this law was ever carried into execution. In 376, all the heathen temples in cities were ordered to be shut up; in 382, sacrifices were prohibited to be offered in temples or villages.—At first, St. Augustine declared against compulsion in matters of religion: “When the emperor Honorius,” says Mr. Alban Butler, in his Life of St. Augustine†, “published new severe de-“crees against the Donatists, condemning them to “heavy fines and other penalties, St. Augustine “at first disapproved such a persecution; though “he afterwards changed his opinion, when he saw “the sincere conversion of many, who, being moved “by the terror of these laws, had, by examining, “opened their eyes to discover the truth, and “heartily embraced it.”

By degrees, it became a frequent practice to annex civil penalties to the censures of the church.

\* Fleury's Seventh Discourse.

† Lives of Saints, Augustine, p. 482; Murphy's edition.

This was done by many imperial constitutions\* ; the penalties of heresy were aggravated in the juris-prudence of the nations, who invaded the Roman empire ; burning alive, and finally the inquisition †, — that greatest triumph of fanaticism over humanity, — were introduced by them ‡. — It should not, however, be forgotten, that in some cases, as those of the Donatists and the Albigenses, the persons thus punished for heresy, had deserved severe punishments, for their seditious practices.

5. The first penal statute enacted by an English parliament against heresy, was passed in the fifth year of Richard the second § ; it enacted, that “ heretics should be kept in prison, till they justified “ themselves, according to law, and the reason of “ holy church.” By an act passed in the second year of the reign of Henry the fourth ||, convicted

\* See *ante*, c. x. s. 4.

† The writer is sensible that, during the last century, the horrors of the inquisition were greatly softened in Italy and Spain, and in other places : he speaks of it as it was originally formed, and, with little variation, continued till the close of the 17th century.

‡ *Nec lex justior ulla est*

*Quam necis artifices arte perire suā.*

The emperor Frederick ordained that, if any temporal lord, when admonished by the church, should neglect to clear the territories of heretics within a year, it should be lawful to seize and occupy the lands, and exterminate the heretical possessor. Upon the authority of this very constitution, the pope afterwards expelled this very emperor Frederick from his kingdom of Sicily, and gave it to Charles of Anjou.

§ A. D. 1382.

|| A. D. 1400.

heretics might be imprisoned and confined at the discretion of the diocesan, or his commissary; and those, who refused to abjure, or who relapsed, were ordered to be burned to death, in some conspicuous place.—In the beginning of the reign of Henry the fifth\*, an act was passed against the Lollards or Wickliffites, by which it was decreed, that they should forfeit all their goods and chattels. In this reign the writ “*de hæretico comburendo*” was frequently issued from the court of chancery; but it should be observed, that this was not a writ of course,—or, to use the legal phrase, *ex debito justitiae*; it was only issuable by the special direction of the king in council †; so that if it was sometimes obtained from the king to persecute an heretic, it was often issued to save him.

6. *The reformation* arrived:—looking to this circumstance with an eye towards the tolerating feelings and habits of the present times, we should easily suppose that the primitive reformers were tolerant: but history shows, that, wherever the reforming banner triumphed, a long reign of intolerance was certain to ensue. “The reformers,” says Mr. Gibbon †, “were ambitious of succeeding the ‘tyrants, whom they had dethroned. They imposed, ‘with equal rigour, their creeds and confessions; ‘they asserted the right of the magistrate to punish

\* A. D. 1414.—See *ante*, c. x. s. 6.

† 1 Hale, P. C. 395. On the subject of these laws, see Neale's Hist. vol. i. c. 1.

‡ Hist. ch. liv.

“with death.” Another able writer\*, has observed, “that the free exercise of private judgment was most heartily abhorred by the first reformers, except only, when the persons, who assumed it, had the good fortune to be exactly of their opinion.”—From the former pages of this publication it appears, that they persecuted both the catholics, and all those protestants, whose religious creeds differed from their own, with merciless severity.—In the curious conference between Maitland of Lithington, the secretary of state, and Knox †, both the secretary and the reformer agreed that idolatry ought to be suppressed, and that “the idolater ought to die the death.”—the only point in difference between them was, whether mass was idolatry, and the hearer of it an idolater.

Thus, intolerance may be charged on every party. If catholics be justly chargeable with a greater share of it than any denomination of protestants, it should not be forgotten how much longer time, how much greater means, the catholics have possessed for persecution, than have yet been enjoyed by protestants.

## LXVII. 2.

*Act of Toleration.*

THE claims of the protestant dissenters, at the time of the revolution, to complete toleration, were

\* The author of the critique on Cook's History of the Church of Scotland, in the Edinburgh Review, vol. xxvii. p. 162.

† Knox, p. 357.

well founded ; and William's own disposition induced him to accede to them in their full extent : but his wishes were opposed by a powerful party in each house of parliament, and the measure of toleration, which was granted to the dissenters, was extremely limited. The corporation act and the test act, were left to operate on them ; but, on taking the oaths of allegiance and supremacy, and subscribing the declaration against popery, they were exempted from all the laws passed, in any of the preceding reigns, against persons refusing or neglecting to attend the service of the established church, and the exercise of their own religious worship was allowed them under certain easy regulations ; those who denied the Trinity, were, however, excepted from the benefits of the act\*.

A further indulgence was shown to the feelings of the protestant dissenters, by the alteration which was made in the oath of supremacy. The oath prescribed by the act passed in the first year of the reign of Elizabeth, remained in force till the revolution. That oath contained, as we have seen, a clause, by which the person taking it was made to " testify and declare, on his conscience, that the " queen's highness was the only supreme governor " of this realm, and all other her highness's domi- " nions, as well in all spiritual things or causes, as " temporal." The clause, thus explicitly affirming the supremacy of the queen in spiritual causes and things, was followed by the negative clause, by

\* See the history of the passing of this act, in " The " Rights of the Protestant Dissenters," c. iii. s. 3.

which the authority of any foreign power in them, was denied. To this, the presbyterians had no objection; but the affirmative clause was offensive to them in the highest degree, as it expressed a doctrine diametrically opposite to their high notions of the independence of the church of Christ on the civil power, in every thing that regards religious doctrine or discipline: on this account, a humane and politic attention to their tenets and feelings dictated to the government of William the justice and propriety of the omission of the affirmative clause from the oath. In the same spirit of indulgence, a clause was introduced, by which protestant dissenters in holy orders, and preachers and dissenters in dissenting congregations, who should subscribe the declaration against transubstantiation and popery, and testify their approbation of the thirty-nine articles, except the thirty-fourth, thirty-fifth, and thirty-sixth, and these words of the twentieth articles,—(*the church hath power to decree rites or ceremonies, and authority in controversies of faith*),—were exempted from certain penalties in the act for restraining non-conformists from inhabiting corporations\*, and from some in the act of uniformity†.

If we reflect on all the circumstances, under which this act was passed, we must admit, that the general cause of civil liberty gained by it considerably: if we view it without reference to these, we shall be more scandalized by the niggardliness, than edified by the liberality of the boon, which

\* 17 Car. II, c. 2.

† 13 & 14 Car. II, c. 4.

the protestant dissenters then received from the new government.

## LXVII. 3.

*The Nonjurors.*

IT has been the practice of most governments to bind their subjects to allegiance, by requiring them to profess it, in a solemn manner, by a certain form of words, accompanied by an oath. The English oath of allegiance, administered for upwards of six hundred years, contained a promise, “to be true “ and faithful to the king and his heirs, and truth “ and faith to bear, of life, limb, and terrene honour, “ and not to know or hear of any ill or damage “ intended, without defending him therefrom.”— At the revolution, the oath was thought to savour too much of the notion of passive obedience; the convention-parliament, therefore, prescribed a new form, by which the subject promised no more than that “he would be faithful and bear true allegiance “ to the king;” without mentioning “ his heirs,” or specifying in what that allegiance consisted.

Some, however, both among the members of the established church, and the dissenting congregations, held it unlawful to take the oath of allegiance to the new king, from a persuasion that James the second, though banished from his dominions, remained their lawful sovereign, and consequently retained his right to their allegiance. This gave them the appellation of *Nonjurors*. Sancroft, the archbishop of Canterbury, Dr. Lloyd, bishop of

Norwich, Dr. Turner of Ely, Dr. Kenn of Bath and Wells, Dr. Frampton of Gloucester, Dr. Thomas of Worcester, Dr. Lake of Chichester, and Dr. White of Ely,—all distinguished by learning and virtue,—entertained this opinion; and persisting in it, were deprived of their ecclesiastical dignities, and their sees were filled by men of acknowledged merit.—The nonjurors considered the deposed prelates as the lawful bishops of their respective sees, and the new prelates as intruders. They proceeded to form a new episcopal church, differing, in some religious tenets and rites, from that established by law. Several, as Hicks, Collier, and Dodwell, were eminent for profound and extensive erudition. For a time, the body attracted notice and esteem, both by the number and respectability of its members; but it gradually declined: in the middle of the last century, their congregations were extremely few, and not one, perhaps, is, at this time, to be found.

## LXVII. 4.

*Roman-catholics.*

It was impossible that the roman-catholics should not grieve at the revolution: it was the triumph of the protestant over the catholic establishment. The Stuart family had no claim on their gratitude or personal regard, yet their attachment to it was great: a similar and an equal attachment to it, was felt by the general body of the nonjurors, and by a considerable proportion, both of the established

church and the dissenting congregations. It arose equally from principle and affection\*.—The right, even in theory, of cashiering kings, was, at this time, advocated by few, and most of those, who disapproved of the proceedings of James, thought that the innovations meditated by him, and all the consequences of his catholicity in respect to the public, might have been effectually prevented, without disturbing the legal succession of the crown.

From circumstances, which cannot be divined, the Stuarts enjoyed the personal attachment, bordering on enthusiasm, of a large proportion of the nation, in a degree, and it should be added for a length of time, perhaps unknown in the annals of the world. For almost half a century after the revolution, this attachment continued ; their errors, and even their ingratitude, were forgotten ; but their names were mentioned and their healths drank, with a fervour, which however erroneous, evidently flowed from an amiable feeling.

It was easy, on the accession of William, to foresee that the new reign would be marked by additional severities against the catholics.—Immediately after the commencement of it, an act† was passed for removing all catholics ten miles from the cities of London and Westminster : another‡, prohibited them from keeping arms ; a third§,

\* See Johnson's Memoirs of the Rebellion in 1745, recently published ; and the excellent preface of the editor.

† 1 W. & M. c. 9.

‡ 1 W. & M. c. 15.

§ 1 W. & M. c. 26.

vested the presentations of benefices, belonging to them, in the two universities.

The act “declaring the rights and liberties of the “ subject\*,” enacted, that every person, who should be reconciled to, or hold communion with the see or church of Rome, or profess the popish religion, or marry a papist, should be excluded from the crown:

By an act of the seventh and eighth year of the reign of William†, persons refusing to take the oaths of allegiance and supremacy, tendered by persons lawfully authorized to administer them, were made liable to suffer as popish recusants.

It is observable, that both during James's actual invasion of Ireland, and his meditated invasion of England, in which he was to have been assisted by the French, with a formidable fleet, the catholics remained quiet. Two plots were formed against William, one of which was for his assassination: it does not appear that any catholic, or at least, that any catholic of note, was engaged in either.

Still, in the eleventh year of his reign, the parliament passed an act of extreme severity against the catholic body. A reward of 100*l.* was offered for apprehending priests or jesuits;—any priest or jesuit convicted of exercising his functions, or keeping a school, was made liable to perpetual imprisonment; and persons not taking the oaths of allegiance and supremacy, within six months after their attaining the age of eighteen years, were disabled from taking any estate or interest in any species of landed

\* 1 W. & M. sess. 2, c. 2.

† 7 & 8 W. c. 27.

property : persons convicted of sending a child beyond seas, to be educated in the romish religion, were to forfeit 100*l.*; and the chancellor was authorized to compel the catholic parent of a protestant child to allow him a competent maintenance.

The last clause was defensible :—the other enactments were of unexampled severity. The causes of it are fully explained, in the account given by bishop Burnet, of the circumstances which attended the passing of this act.

“ Upon the peace of Ryswick,” says he, (two years before,) “ a great swarm of priests came over to England ; not only those, whom the revolution had frightened away, but many more new men, who appeared in many places, with great insolence ; and it was said, that they boasted of the favour and protection, of which they were assured. Some enemies of the government began to give it out, that the favouring of that religion was a secret article of the peace ; and so absurd is malice and calumny, that the jacobites began to say, that the king was either of that religion, or at least a favourer of it. Complaints of the avowed practices and insolence of the priests were brought from several places during the last session of parliament ; and those were maliciously aggravated by some, who cast the blame of all on the king.

“ Upon this, some proposed a bill, that obliged all persons, educated in that religion, or suspected to be of it, who should succeed to any estate, before they were of the age of eighteen, to take the oaths of allegiance and supremacy, and the test,

“ as soon as they came to that age ; and, until they  
“ did it, the estate was to devolve to the next of  
“ kin, that was a protestant ; but was to return  
“ back to them, upon their taking the oaths. All  
“ popish priests were also banished by the bill, and  
“ were adjudged to perpetual imprisonment, if they  
“ should again return to England ; and the reward  
“ of 100*l.* was offered to every one, who should  
“ discover a popish priest, so as to convict him.  
“ Those, who brought this into the house of com-  
“ mons, hoped, that the court would have opposed  
“ it ; but the court promoted the bill ; so, when the  
“ party saw their mistake, they seemed willing to  
“ let the bill fall ; and when that could not be  
“ done, they clogged it with many severe, and some  
“ unreasonable clauses, hoping that the lords would  
“ not pass the act ; and it was said, that if the lords  
“ should make the least alteration in it, they, in the  
“ house of commons, who had set it on, were re-  
“ solved to let it lie on the table, when it should be  
“ sent back to them. Many lords, who secretly  
“ favoured the papists on the jacobite account, did,  
“ for this reason, move for several alterations ; some  
“ of these importing a greater severity ; but, the  
“ zeal against popery was such in that house, that  
“ the bill passed, without any amendment ; and it  
“ had the royal assent.”—Such is bishop Burnet’s  
account of this extraordinary bill.

## C H A P. LXVIII.

QUEEN ANNE.

1702.

TO a reader of these pages, who has noticed the number and severity of the laws which were passed against the catholics in the reign of William, it may have appeared extraordinary, that the writer should assign this æra for the commencement of the religious toleration of the catholics: but he should carry back his reflections to the commencement of the reformation under Elizabeth; and then, if he contrast the sufferings of the catholics during the reigns of that princess and of the three succeeding monarchs, with their condition during the reign of William, he must be sensible that, throughout the whole of it, their situation was considerably ameliorated. If we except the reign of James the second, it was the first, after the reformation, in which no new sanguinary law was enacted against them, or in which no catholic suffered capitally for his religion; the government showed nothing like a willingness to carry into execution, either the former penal laws, or even their own milder, yet still severe enactments. The press teemed with publications against the catholics, but no fictitious plot was imputed to them, and no informer against them was encouraged. Some exceptions from this representation, (as the restoring of Oates to credit,

and rewarding him with a pension), may be cited : but these are so few as not to detract, in any respect, from its general accuracy ; and, speaking also generally, the laws against positive recusancy were allowed to fall insensibly into disuse. This system of toleration did the greater honour both to William and the nation, as the glaring pretension of the exiled family would have furnished a government less wise or less liberal with a plausible excuse for persecution. The tolerating spirit of the times, was greatly owing to the eminent latitudinarian divines, who formed, at this time, a considerable proportion of the English church : I. Of these we shall attempt to give some account\* : II. Then, show the general state of the catholics under the princess, to whose reign we have now brought our history.

\* What is said on this subject we have principally taken from "A brief Account of the new sect of Latitude Men, " together with some reflections upon the new philosophy, " by S. P. of Cambridge, in answer to a letter from his friend " at Oxford; London, 1662 ;" Burnet's History of his own Times, vol. i. p. 188 ; Mosheim's History, cent. xvii. c. 2, sect. 27 ; and " The Principles and Practices of certain " moderate Divines of the Church of England, (greatly mis- " understood), truly represented and defended, in a free " discourse between two intimate friends, in three parts, 8vo. " 1670," by Dr. Fowler, afterwards bishop of Gloucester ; and " The Design of Christianity, 8vo. 1671," by the same author : both are written with learning, ability, and method.

## LXVIII. 1.

*The Latitudinarian Divines.*

THE intolerance of the first reformers has been mentioned; but it must be acknowledged, that though religious liberty was not their object, it was yet a consequence of the reformation. Always discountenanced, and generally persecuted by authority, the reformers appealed to the people, and submitted their arguments and their feelings to the understanding and sympathy of the public. At first, each party asserted truth to be exclusively and unquestionably on their side, and claimed the whole church establishment for their own partisans. In the course of time, this lofty claim was abandoned, and the weaker party, professing to leave the established clergy in possession of the dignities and the wealth conferred on them by the state, sought no more than a reasonable toleration. They contended, that Christ sent his disciples to propagate his religion by instruction, not by the aid of the secular power:—and, as a subsidiary argument, observed, that, among the points in difference between them and their adversaries, those, which either party considered to be essential, were few; and that, wherever truth resided, the error was not of a nature to disturb the state or injure individuals. This strain of argument seems to have been used, if not for the first time, at least with the greatest ability and success, by the Arminians of Holland. The synod of Dort, as we have mentioned, decided

against them, but public opinion decided in their favour,—and, by degrees, obtained the victory.

In the mean time, the latitudinarians of Cambridge arose: the description which Burnet gives of them is very interesting. Perceiving that the minds of men required to be more liberally enlightened, and their affections to be more powerfully engaged on the side of religion, than was formerly thought necessary, these set themselves, as the doctor expresses it, “to raise those, who conversed “with them, to another sort of thoughts, and to “consider the christian religion, as a doctrine sent “from God, both to elevate and to sweeten human “nature.—With this view, they laboured chiefly “to take men from being in parties, from narrow “notions, and from fierceness about opinions. “They also continued to keep up a good corre-“spondence with those who differed from them in “opinion, and allowed a great freedom both in “philosophy and in divinity.”

The founders of this school were the ever memorable John Hales of Eton, and the immortal Chillingworth: we describe them by the appellations, which they now universally receive from protestant writers. Of the former, sir David Dalrymple, in the fine edition of the works of that divine, says, that all, “who are acquainted with the literary and “political history of England, will perceive that “the leading men of all parties, however different “and discordant, have, with a wonderful unani-“mity, concurred in praise of the virtues and “abilities of the ever memorable Mr. John Hales

“ of Eton.”—We need not add, that Chillingworth is now the universal theme of protestant praise.

In their theological controversies with the catholics, the reformers had been much perplexed by the authority of the ancient councils and ancient fathers, which the catholics brought against them ; and by the discrepancies and contradictions, which occurred in their own various creeds, confessions, articles, and formularies of faith.—From these, they were entirely relieved by Chillingworth.—“ By the “ protestant faith,” says this celebrated man, “ I “ do not understand the doctrine of Luther, or “ Calvin, or Melancthon ; nor the confession of “ Augusta, or Geneva, or the catechism of Heidelberg, nor the articles of the church of England ; no, nor the harmony of protestant confessions ; but that, wherein they all agree, and “ which they all subscribe with a greater harmony, “ as a perfect rule of their faith and their actions, “ that is,—*The Bible* ;—THE BIBLE, AND THE BIBLE ONLY, IS THE RELIGION OF PROTESTANTS. “ Whatsoever else they believe besides it, and the “ plain, irrefragable, indubitable consequences of it, “ well may they hold it as a matter of opinion ; but, “ as matter of faith and religion, neither can they, “ with coherence to their own grounds, believe it “ themselves, nor require the belief of it of others, “ without the most schismatical presumption. I, for “ my part, after a long, (and I verily believe and “ hope), impartial search of the way to eternal hap- “ ness, do profess plainly that I cannot find any “ rest for the sole of my foot, but upon this rock

“ only.—This, therefore, and this only, I have reason to believe; this, I will profess; according to this, I will live; and for this, if there be occasion, I will not only willingly, but gladly lose my life, though I should be sorry that any christian should take it from me. Propose me any thing out of this book, and require whether I believe it or not, and seem it never so incomprehensible to human reason, I will subscribe it with hand and heart, as knowing no demonstration can be stronger than this,—‘ God hath said so, therefore it is true.’—In other things I will take no man’s liberty of judgment from him; neither shall any man take mine from me. I am fully assured that God does not, and therefore that men ought not, to require any more of man than this, to believe the scripture to be God’s word, to endeavour to find the true sense of it\*.”

Thus, this one article,—“ The Bible, and the Bible only, is the religion of protestants,”—contains, according to these eminent men,—the protestant religion.

Still, they subscribed the thirty-nine articles;—but with a great latitude in the interpretation of them, and with an allowance of equal latitude to the other subscribers.—They considered them merely as an instrument of peace; but the precise nature or extent of this latitude, seems never to have been defined with precision; they certainly did not require absolute mental assent; and probably allowed discussion, if it were not of a nature

\* Religion of Protestants, ch. vi. s. 56.

to disturb or weaken the *external* fabrick of the establishment. With archbishop Usher\*, they maintained, that “the church of England did not define “any of the questions, as necessary to be believed, “either *ex necessitate medi*i, or *ex necessitate præ-cepti*, which is much less ; but only bindeth “her sons, for peace sake, not to oppose them.—“We do not,” continues the learned prelate, “suffer any man to reject the thirty-nine articles “of the church of England at his pleasure ; yet “neither do we look upon them as essentials of “saving faith, or legacies of Christ and his apostles ; “but in a mean, as pious opinions, fitted for the “preservation of unity ; neither do we oblige any “man to believe them, but only not to contradict “them.”

The latitudinarians were friendly to liturgies, and preferred that of the church of England to all others, for its solemnity, gravity, and simplicity ; its freedom from affected phrases and expressing vain or doubtful opinions ; they also approved of what they termed the virtuous mediocrity of that church, in its rites and ceremonies of divine worship ; they professed a deep veneration for the hierarchical œconomy of the established church, and considered it to be in itself the very best form of ecclesiastical government, and the same that was practised in the time of the apostles †. They reprobated no

\* Schism-Guarded, p. 396.—See the Principles and Practice of moderate Divines, p. 191.

† Account of the new Sect of Latitude Men, p. 6, 7, 8.

doctrine more than the predestinating decrees of Calvin.

We have mentioned the founders of the latitudinarian school: Taylor, Cudworth, Wilkins, Tillotson, Stillingfleet, and Patrick, were among its brightest ornaments.—A writer in the Edinburgh Review\*, says, that by their liberal and enlarged views of religion, their great powers of reasoning, and above all, “by the gentleness and reasonable-  
“ness of their way of explaining things†, they re-  
“claimed the great body of the people both from  
“the dregs of fanaticism, and the folly of impiety;  
“and may be said to have rescued the nation from  
“a long night of spiritual and moral darkness.”

But,—even these liberal men were unjust to the catholics: they both received and transmitted several of the charges unjustly brought against them; often misrepresented their doctrines; almost always expressed themselves of them with harshness; sometimes admitted into their controversial attacks of them the language of abuse and contumely; and too frequently, when they were criminated for the laxity of their own opinions, ingloriously made a show of orthodoxy, by abusing catholicity and catholics.

Still,—the services which they rendered to the catholics, were great: they softened the general fierceness of polemic warfare; their exhortations to the different sects of protestants, to abstain from

\* Vol. xiv. p. 82.

† The words of Burnet, in the passage referred to before.

mutual crimination, and to respect each other, and their frequent and eloquent advocation of liberty in matters of religion, had some effect in disposing the public mind to abstain from a wanton execution of the penal laws against any sect of christians, and to extend to all, the benefits of religious toleration.—Of these salutary effects of their writings, the catholics,—though for a long time, indirectly and by slow degrees,—still in some measure, and to some extent, participated.

Some friends, however, of the established church were alarmed at the liberal and free notions of these moderate divines, as they were generally called. They prognosticated that their systems and writings led to indifference, the greatest enemy of religion, and would insensibly undermine the national creed: they termed it, a philosophical presbyterianism\*.

\* In these sentiments, Dryden makes the hind thus address the panther:—(part iii.)

“ Your sons of latitude, that court your grace,  
 “ Though much resembling you in form and face,  
 “ Are far the worst of your pretended race.  
 “ And,—(but I blush your honesty to blot,)—  
 “ Pray God you prove them lawfully begot:  
 “ For in some popish libels I have read,  
 “ The wolf,”—(*the presbyterian*),—“ has been too busy  
 “ in your bed.”

In an interesting note to this passage, sir Walter Scott mentions some curious particulars of the men of latitude: he informs us, that it was with a view of promoting their views of pacification and comprehension, that Stillingfleet published his celebrated *Irenicum*; at which, he says, the house of commons took such a fright, that they passed a vote, prohibiting even the introduction of any measure, for such a purpose, into

## LXVIII. 2.

*State of the Catholics under queen Anne.*

THE depression of the catholics continued through the whole of this reign. If the sovereign had consulted her own inclination, she probably would have repealed several of the laws, under which her catholic subjects laboured ; for she must sometimes have reflected on their tried attachment to her family, and their sufferings in its cause : but her particular situation placed this beyond her power, as the slightest step, which she should take towards it must have had a tendency to reveal the designs, which, in a less or greater degree, she always entertained in favour of the descendants of her dethroned father.

One law\* was passed against the catholics, in her reign : it disabled them from presenting to ecclesiastical benefices, and vested the right of presenting to them in the universities. This, perhaps, is the penal law, of which the catholics have least reason to complain, as it may be alleged that there is, an evident incongruity in allowing any denomination of christians to appoint the religious functionaries. He also mentions the antipathy and opposition of these divines to the church of Rome : it was owing, he says, to their indifference to the rites, feasts, and ascetic observances of that church, which the church of England, though the members of it set no real value upon them, partially adopts, so that they serve for a wall of separation between her and the other protestant churches.

\* 12 Anne.

tionaries of another: yet it should not be forgotten, that, as the law of England now stands, the un-baptised quaker, and even the jew, may present to benefices in her church.

This reign was as little favourable to the protestant dissenters as to the roman-catholics. Some of the former did not object so seriously to receiving the sacrament of our Lord's-supper according to the church of England, as to neglect it, when it was absolutely necessary for qualifying them to hold offices: this was termed Occasional Conformity; and an act\* was passed to prevent it.—In the last year of the reign of her majesty, a bill was introduced, to prevent, as it was termed, the growth of schism, and to impose, for that purpose, some further restraints on nonconformists; it passed through both houses of parliament, but, in consequence of the decease of the queen before the day on which it was to have received the royal assent, never became a law†.

---

### CHAP. LXIX.

#### ACCESSION OF THE HOUSE OF BRUNSWICK.

1714.

THE English catholics, and all the other subjects of the united empire, are so greatly interested in the fortunes and fates of this illustrious house, that the

\* 11 Anne.    † Rights of Protestant Dissenters, p. 45.

writer believes the following historical digression, which gives a very succinct account of it, will be generally acceptable to his readers.

It has been said, that not fewer than one thousand works have been written on the genealogy and history of the Guelphs: the points to be particularly attended to, are their Italian origin, German principality, and English monarchy\*.

#### LXIX. 1.

##### *Their Italian Descent.*

THE Italian descent of this illustrious family from Azo, who married Cunegunda, the heiress of the Guelphs of Altdorf, is unquestionable. With great learning and clearness, Scheidius, in his *Origines Guelphicae*, has attempted to show the Guelphic extraction of Azo,

According to him, two brothers, Ethico and Guelph, were princes of the Skyrri, a nation in Holsace, not far from the southern bank of the Eider. The former was a general of Attila's army, and had two sons, Odoacer, who, by his conquest of Italy, put an end to the Roman empire of the west, and Guelph, who settled in the Tyrol.

\* This article is chiefly taken from the "Origines Guelphicae" of Scheidius; Hanoveræ, 1759, et seq. 7 vol. fol." After a fruitless search for it in the London and French markets, the writer was indebted for the loan of an imperfect copy of it to the late earl of Leicester. That a work of such importance to the family history of its sovereign, and by no means rare in Germany, should not be on sale in London, may be thought remarkable.

Odoacer, with Thilanes his only son, were killed in 493. A count of Bavaria, whose name is not known, and who died in 687, was seventh in succession to Guelph. He had issue two sons, Adalbert, count of Bavaria and patriarch of the marquises of Tuscany, and Ruthard, an Alemannian count. Azo was ninth in succession to Adalbert; Cunegunda was heir and ninth in succession to Ruthard. Azo and Cunegunda intermarried about 1050; and thus, if the scheme proposed by Scherdius be relied on, the two branches of the Guelphic stem were re-united after a lapse of three centuries.

A son, called Guelph, was the issue of Azo and Cunegunda. After the decease of Cunegunda, Azo married Gersenda, a daughter of Hugh count of Maine, and had issue by her, a son called Fulk, from whom the dukes of Modena are lineally descended. Guelph, the son of Azo by Cunegunda, had two sons, Guelph, and Henry the black: the former married the princess Mechtildis, the heiress of the elder branch of the house of Este, renowned for her celebrated donation to the see of Rome. She died without issue, but her husband retained some part of her hereditary possessions, and died without issue.

#### LXIX. 2.

##### *Their German Principalities.*

HENRY the black was the founder of the German principalities possessed by his family. He married Wolphildis, the sole heiress of Herman of Bilkung, the duke of Saxony, and of his possessions on the

Elbe. His son, Henry the proud, married Gertrude, the heiress of the dutchies of Saxony, Brunswick, and Hanover. Thus Henry the proud,

1st. As representing Azo, his great-grandfather, —inherited some part of the Italian possessions of the younger branch of the Estesine family : they chiefly lay on the southern side of the fall of the Po into the Adriatic :

2d. As representing count Boniface, the father of the princess Mechtildis,—he inherited the Italian possessions of the elder branch of the Estesine family : they chiefly lay in Tuscany :—some part of the possessions of the princess Mechtildis also devolved to him :

3d. As representing Cunegunda, his grandmother, he inherited the possessions of the Guelphs at Altorf :

4th. As representing his mother, the sole heiress of Herman of Billung,—he inherited the possessions of the Saxon family on the Elbe :

5th. And through his wife,—he transmitted to his descendants the dutchies of Saxony, Brunswick, and Hanover.

All these possessions descended to Henry the lion, the son of Henry the proud. He added to them Bavaria, on the cession of Henry Jossemargott, —and Lunenburgh and Mecklenburgh by conquest. Thus he became possessed of an extensive territory ; —he himself used to describe it in four German verses, which have been thus translated :

HENRY THE LION is my name :  
Through all the earth I spread my fame,  
For, from the Elbe, unto the Rhine,  
From Hartz, unto the sea,—ALL'S MINE.

In other words, his possessions filled a considerable portion of the territory between the Rhine, the Baltic, the Elbe, and the Tyber.

Unfortunately for him, in the quarrels between the pope and the emperor Frederick Barbarossa, he sided with the former. The emperor confiscated his possessions; but returned him his allodial estates in Brunswick, Hanover, and Lunenburgh: he died in 1195. By his first wife, he had no issue male: his second, was Maud, the daughter of Henry the second of England. By her, he had several sons; all of whom died, except William, called of Winchester, from his being born in that city. William of Winchester had issue Otho, called *puer, or the boy.*

At the decease of Otho the boy, the partition of this illustrious house commences. An outline of it appears in a table, in the writer's History of the Revolutions of the German Empire: it shows the Guelphic genealogy, from the marriage of Azo with Cunegunda to the present time.

The subject of these sheets leads only to the Lunenburgh branches of the Guelphic shoot of the Estesine line.

On the death of Otho the boy, Brunswick and Lunenburgh, the only remains of the splendid possessions of William the proud, were divided between his two sons, John and Albert: Lunenburgh was assigned to the former, Brunswick to the latter; thus the former became the patriarch of what is called the old house of Lunenburgh. Otho his son, received Hanover, as a fief from William Sigefred the bishop of Hildesheim. Otho had four sons;

Otho his first son, succeeded him; and dying without issue, was succeeded by his brother William with-the-large-feet. He died in 1369, without male issue; the two other sons of Otho the father, also died without male issue.

Thus, there was a general failure of issue male of John, the patriarch of the old house of Lunenburgh. By the influence of the emperor Charles the fourth, Otho elector of Saxony, who had married Elizabeth, the daughter of William, succeeded to the dutchy. He died without issue, and left it, by his will, to his uncle Wenceslaus elector of Saxony. It was contested with him by Torquatus Magnus duke of Saxony:—the contest ended in a compromise; under which Bernard, the eldest son of Torquatus Magnus, obtained it, and became the patriarch of the middle house of Lunenburgh: he died in 1434. After several descents, it vested in Ernest of Zell:—he introduced the Lutheran religion into his states.

After his decease, his sons Henry and William for some time reigned conjointly; but William persuaded his brother to content himself with the country of Danneburgh, while he himself reigned over all the rest, and thus became the patriarch of the new house of Brunswick-Lunenburgh.

He left seven sons; they agreed to cast lots which should marry, and to reign according to their seniority. The lot fell to George, the sixth of the sons: Frederick was the survivor.

On his decease, the dutchy descended to Ernest-Augustus, the son of George, with whom the electoral house of Lunenburgh commences. His reign

is remarkable for two circumstances;—his advancement to the electoral dignity, and the act of the British parliament, which appointed his wife Sophia to be the royal stem of the protestant succession to the throne of Great Britain and Ireland.

## LXIX. 3.

*Their British Monarchy.*

ON the demise of queen Anne, George, the son of Sophia, then dutchess dowager of Hanover, succeeded to the British monarchy.

The house of Brunswick-Lunenburgh is now divided into two branches, the German and the English. The former, under the title of Brunswick-Lunenburgh and Wolfenbottal, possesses the dutchies of Brunswick and Wolfenbottel, and the countries of Blanckenburgh and Reinskin, and reckons 160,000 subjects:—the English, under the title of Brunswick-Lunenburgh and Hanover, possesses the electoral dignity, the electorate of Hanover, the dutchies of Lunenburgh, Zell, Calemburg, Grubenhagen, Deepholt, Bentheim, Lawenburgh, Bremen, and Verdun; and counts 740,000 subjects.

The most remarkable events in the history of the English line of the house of Lunenburgh, are thus summarily mentioned by Mr. Noble, in his *Genealogical History of the present Royal Families of Europe*:

“ Ernest-Augustus, duke of Brunswick-Lunenburgh, married, 1650, to Sophia, grand-daughter of king James the first, and daughter of Elizabeth, princess-royal of Great Britain. By the

“ treaty of Westphalia he obtained, that one of  
“ his family should be elected bishop of Osnaburgh alternately with one of the roman-catholic  
“ religion ; and accordingly, upon the death of  
“ cardinal Wirtemberg in 1668, he became bishop  
“ of that see : in 1692, he was raised to the dignity  
“ of elector, which was to descend to his family ;  
“ the office of great standard-bearer was to have  
“ been added to it by the emperor Leopold, but  
“ he was prevented doing it by the ducal house of  
“ Wirtemberg’s protesting against it ; the house of  
“ Hanover now is the only electoral family without  
“ an hereditary office ; but they have assumed that  
“ of arch-treasurer of the empire. He died at  
“ Herenhausen, February 3, 1698.

“ George-Lewis succeeded his father in the electorate of Hanover and dutchy of Brunswick-Lunenburgh ; and upon the death of his uncle and father-in-law, George-William, to that of Zell, and upon that of queen Anne, to the kingdom of Great Britain : he died suddenly at Osnaburg, June 11th, 1727. He was one of the most fortunate princes that has lived in Europe, which his prudence and valour entitled him to : his predilection for Hanover, though natural, was much disliked by his other subjects.

“ George-Augustus the second, created prince of Wales 1714, succeeded to Great Britain and Hanover, and died suddenly, October 25, 1760, in the height of glory : he was a just and merciful prince, but resembled his father in his too great attachment to his electoral dominions.

“ Frederick-Lewis, prince of Wales, came into  
“ England 1729, died March 20th 1750, univer-  
“ sally regretted.

“ George the third, created prince of Wales  
“ 1751, succeeded October 25, 1760, crowned  
“ September 22, 1761, gave peace to Europe 1762,  
“ to the blessings of which he devoted his reign  
“ till it was fatally disturbed by the rebellion in  
“ America. France and Spain having espoused  
“ their cause, a war was declared against them,  
“ and lately his majesty found it expedient to com-  
“ mence hostilities with Holland, for her perfidious  
“ conduct to her old ally. His majesty is, in an  
“ eminent degree, religious, just, and merciful; his  
“ conjugal and paternal tenderness, his taste for  
“ and patronage of the fine arts, are universally  
“ known and acknowledged.”

## LXIX. 4.

*Miscellaneous Facts relating to the Guelphic Family.*

THE contests between the popes and the emperors, to which we have referred, in a preceding part of this article, divided both Italy and Germany into parties. The Guelphs took part with the former, and were among their greatest supports. One of the most important battles in this conflict, was fought between Guelph, the eighth of that name, and Frederick of Weiflingen duke of Suabia, a partisan of the emperor;—the opposite shouts of *Hye Guelph! Hye Ghibellin!*—(so the Italians pronounced Weiflingen),—gave those names to the

contending parties, through the remainder of the war. Soon afterwards, the town of Urnsberg was besieged by Conrad the third. There, the circumstance so agreeably related by the Spectator, really took place: the town being reduced to the last extremities, the emperor announced his design of putting the garrison to the sword, but permitted the women to depart from it, with such of their precious effects as they themselves could carry. The gates were thrown open; and a long procession of matrons, each bearing a husband on her shoulders, appeared, and was permitted to pass in safety through the camp.

To Guelph the eighth, Henry the lion, the forfeiture of whose extensive principalities we have mentioned, was grandson. Even after this disaster he was powerful; fought battles and made conquests. In 1172, he undertook a pilgrimage to the Holy Land;—several eminent persons of the clergy and nobility attended him, and his camp was composed of 1,200 knights, or soldiers inured to arms. They passed from Brunswick through Ratisbon to Vienna; there, the duke committed himself, with a select portion of his attendants, to the Danube; but a detachment from his suite, marched on the banks of the river. At Belgrade, he quitted the Danube;—advanced through the morasses of Servia and Bulgaria, to Nissa: not far from it, an ambassador from the Byzantine emperor met him, and accompanied him to Constantinople. From Constantinople, the duke and his followers sailed in ships, furnished them by the

emperor, to St. John of Acre. Thence, he proceeded to Jerusalem; was respectfully received by the patriarch and the military orders, visited the holy sepulchre, and made large presents to the churches and the knights templars. Then, following the sea coast of Syria, in a northern direction, he reached Tarsus in Cilicia, and crossing Asia Minor, in a central line, again reached Constantinople; and again was hospitably entertained by the emperor. The duke loftily refused some presents of gold and silver, which the emperor offered him, but gracefully accepted from him some costly articles, more valuable for their workmanship than their materials. He brought many relics of the saints from the east; they were destroyed at the reformation, but the cases, in which they existed, are yet shown.—After an absence of about a twelve-month, he returned in safety to Brunswick, his capital; and after a further reign of twenty-three years, died in 1195.

---

### CHAP. LXX.

#### GEORGE THE FIRST.

1714.

SEVERAL circumstances render this reign of particular importance in the history of the English catholics: I. We shall briefly state the acts of settlement, under which the illustrious house of Hanover acceded to the throne of Great Britain:

II. Then insert an official document which may be thought to show the general population of England, and the relative proportions, at a time, not long antecedent, of the protestants of the established church, of the protestant non-conformists, and of the catholics of England : III. Then state the severe penal law against the catholics passed in this reign : IV. And then mention an attempt made in it, to obtain a relaxation of the laws in force against them.

## LXX. 1.

*Acts of Settlement.*

THE revolution proceeded on the supposed abdication of James the second, and the consequential vacancy of the throne. In a full assembly of the lords and commons, who then met in a convention, both houses came to a resolution, that James, " having violated the fundamental laws, and with- " drawn himself out of the kingdom, had abdicated " the government, and that the throne was thereby " vacant."

On the 12th of February 1688-9, they filled up the throne by their declaration\*, that, " William " and Mary, prince and princess of Orange, were " and should be declared king and queen, to hold " the crown and royal dignity during their lives, " and the life of the survivor of them ; and that " the sole and full exercise of the regal power was " only in, and should be executed by, the prince of " Orange, in the names of him and the princess.

\* Commons Journals, 12 Feb. 1688-9.

“ during their lives ; and that, after their deceases,  
 “ the crown and royal dignity should belong to the  
 “ heirs of the body of the princess ; and for default  
 “ of such issue, to the princess Anne of Denmark  
 “ and the heirs of her body ; and for default of such  
 “ issue, to the heirs of the body of the prince of  
 “ Orange.”

Towards the end of the reign of king William, all hopes of issue of any of these princes, expired with the duke of Gloucester.—The parliament, therefore, thought it advisable to make a new settlement of the crown. We have noticed the act\* excluding catholics, and persons marrying catholics, from the throne :—The protestant posterity of Charles the first being extinct, the old law of regal descent directed the attention of parliament to the descendants of James, his father. The princess Sophia, the youngest daughter of Elizabeth queen of Bohemia, who was the daughter of James, being the nearest of the ancient blood royal, not incapacitated from the throne by professing the catholic religion, the parliament†, in conformity to their general principle, limited the crown, on failure of issue inheritable to it under the former act, to that princess and to the heirs of her body, being protestants :—it also enacted that, “ whoever should “ thereafter come to the possession of the crown, “ should join in the communion of the church of “ England by law established.”

Thus the settlement of the crown of the united empire now stands.

\* 1 W. & M. st. 2. c. 2.

† 12 & 13 W. III, c. 8.

## LXX. 2.

*Probable general Population of England, and relative proportion of the Established Church, Protestants, Non-conformists, and Roman-catholics, about the beginning of the reign of George the first.*

IT appears that king William\* once conceived the arduous but salutary project of reconciling the religious differences in England, and, with that view, endeavoured to ascertain the proportions of the three principal denominations of christians in England.

The following report of them was made to him:— we apprehend that the same relative proportions continued till the accession of George the first.

“ The number of Freeholders in England.

	Conformists.	Non-conform.	Papists.
Province of Canterbury - - -	2,123,362	93,151	11,878
of York - - -	353,892	15,525	1,978
In both - - -	<u>2,477,254</u>	<u>108,676</u>	<u>13,856</u>
Conformists - - -	<u>2,477,254</u>		
Non-conformists - - -		<u>108,676</u>	
			<u>2,585,930</u>
Papists - - -			<u>13,856</u>
In all England - - -	<u>2,599,786</u>		

According to which account, the proportion of conformists to non-conformists, is - - -  $22\frac{4}{5}$  to one. Conformists to papists, is - - - -  $178\frac{10}{13}$  - Conformists and non-conformists together to papists, is - - - - -  $186\frac{2}{3}$  -

\* Dalrymple's Mem. 2d ed. vol. ii. app. to part ii. p. 10.

“ Papists in the several provinces above the age  
of sixteen.

Canterbury	-	-	-	-	142
London	-	-	-	-	2,069
Winchester	-	-	-	-	968
Rochester	-	-	-	-	64
Norwich	-	-	-	-	671
Lincoln	-	-	-	-	1,244
Ely	-	-	-	-	14
Chichester	-	-	-	-	385
Salisbury	-	-	-	-	548
Exeter	-	-	-	-	298
Bath and Wells	-	-	-	-	176
Worcester	-	-	-	-	719
Coventry and Litchfield	-	-	-	-	1,949
Hereford	-	-	-	-	714
Gloucester	-	-	-	-	124
Bristol	-	-	-	-	199
Peterborough	-	-	-	-	163
Oxford	-	-	-	-	358
St. David's	-	-	-	-	217
Landaff	-	-	-	-	551
Bangor	-	-	-	-	19
St. Asaph	-	-	-	-	275
<u>TOTAL of these</u>					<u>11,867</u>

“ There are in the province of Canterbury,  
“ 23,740 papists ; half of these is under the age of  
“ sixteen years, viz. 11,870 ; a seventh part of these  
“ are aged and above sixty, — 3,391. Taking out of  
“ the said number of papists the two last sums, which  
“ make in all 15,261, there remains then 8,479,  
“ of which the one half is women :—there remains  
“ therefore in the province of Canterbury, fit to  
“ bear arms, 4,239 papists.

“ The province of York bears a sixth part of the

“ taxes, and hath in it a sixth part of the people,  
“ as that of Canterbury hath, viz. 3,956, whereof  
“ half are under the age of sixteen, viz. 1,978;  
“ and a seventh part above sixty, viz. 565; and of  
“ the aforesaid sixth part one half is women.

“ The total, therefore, of the papists of the pro-  
“ vince of York fit to bear arms, is 701; joining  
“ which to the total of the papists in the province  
“ of Canterbury fit to bear arms, makes the total  
“ of the papists throughout all England fit to bear  
“ arms to be 4,940.

“ There being every where as many under the  
“ age of sixteen as above it, the total of the whole  
“ papists, in the whole province, is 23,740.”

“ An account of the province of Canterbury.

“ In the taking of these accounts, we find these  
“ things observable :

“ 1. That many left the church upon the late  
“ indulgence, who before did frequent it.

“ 2. The sending for these inquiries, hath caused  
“ many to frequent the church.

“ 3. That they are Walloons chiefly that make  
“ up the number of dissenters in Canterbury, Sand-  
“ wich, and Dover.

“ 4. That the presbyterians are divided, some of  
“ them come sometime to church, therefore such  
“ are not wholly dissenters upon the third inquiry:

“ 5. A considerable part of dissenters are not of  
“ any sect whatsoever.

“ 6. Of those that come to church, very many  
“ do not receive the sacrament.

“ 7. At Ashford, and at other places, we find a new sort of heretics, after the name of Muggleton, a London taylor, in number thirty.

“ 8. The rest of the dissenters are presbyterians, anabaptists, independents, quakers, about equal numbers, only two or three called self-willers professedly.

“ 9. The heads and preachers of the several factions, are such as had a great share in the late rebellion.”

#### LXX. 3.

*Acts passed against the Roman-catholics during the reign of George the first.*

III. 1. THE first of these acts\*, was most dreadful: it prescribed an oath of allegiance, an oath of supremacy, and an oath for abjuring the Stuart family. These oaths were required to be taken by all persons holding civil or military offices; or any fee or wages by patent or grant from his majesty; or in his navy, or of his household; by all ecclesiastical persons, members of colleges, teachers, preachers, serjeants at law, counsellors, barristers, advocates, attorneys and notaries, and by various other persons:—the neglect or refusal to take these oaths incapacitated the parties from holding any office or employment, or receiving fee or wages, from his majesty.

Thus far the enactment was sufficiently severe:—but it proceeded to authorize any two justices to tender the oaths to any person disaffected to govern

\* 1 Geo. I, st. 2, c. 13.

ment ; and, on his refusal of them, directed, that he should be considered as legally convicted of popish recusancy, and subject to all its penalties and disabilities.

This was termed Constructive Recusancy : it was not the offence itself of recusancy, which, as we have already observed, consisted merely in the party's absenting himself from church ; it was the offence of not taking the oath of supremacy, and the other oaths, prescribed by the act of which we are speaking ; the refusal of which was, by that statute, placed on the same footing, as a legal conviction on the statutes of recusancy ; and subjected the party refusing, to the penalties of those statutes.

Of all the laws passed against the catholics, after the revolution, this was the most severely felt by them. The punishment of recusancy was penal in the extreme ; and the persons, objecting to the oath in question, might be subjected to all the penalties of it, merely by refusing the oaths when they were tendered to them. It added to the grievous operation of these laws, that the oaths might be tendered, at the mere will of two justices of peace, without any previous information, or complaint, before a magistrate, or any other person. Thus it had a silent, but a dreadful operation : it left catholics at the mercy of every one who wished to injure or insult them. Frequently, they were withheld by it from asserting the rights, which the law had left them : and even from urging pretensions, which were not subjects of legal cognizance. It

depressed them so much below their legitimate rank in society, that they hardly entered, with the look or attitude of freemen, into the meetings of their protestant neighbours.

III. 2. By statutes passed annually throughout this reign, the catholics were subjected to the payment of double the amount of the land-tax which they would have otherwise paid.

III. 3. Two statutes passed in this reign imposed on the catholics the unpleasant and humiliating necessity of making public all the circumstances of their landed property, and their dealings with it:—the first\* obliged them to register their names and estates,—the second † obliged them to enrol their deeds and wills,—under heavy penalties.

III. 4. The discontented of every party, civil or religious, engaged in the rebellion, rashly concerted in the year 1715, to restore the pretender. It was visited ‡ on the catholics at first exclusively, but afterwards on the general body of the nonjurors, by a pecuniary mulct of 100,000 *l.*—Mr. Coxe gives, in his able Life of sir Robert Walpole§, the following interesting account of this circumstance.

“ In November 1722, Walpole introduced a bill “ for raising 100,000 *l.* by laying a tax on the “ estates of papists, which was afterwards extended “ to all nonjurors. The liberal spirit of the present “ age, condemns a measure, which tended to in- “ crease the disaffection of a large body of subjects;

\* 1 Geo. I, c. 53.

† 3 Geo. I, c. 18.

‡ 9 Geo. I, c. 18; 13 Geo. I, c. 28.

§ Vol. i. p. 305.

“ and which the arguments, advanced by the minister in its favour, were calculated only to palliate, “ but could not justify. For, on being urged by several members, and particularly by Onslow, “ who declared his abhorrence of persecuting any set of men, because of their religious opinions, “ Walpole represented ‘the great dangers incurred by this nation, since the reformation, from the constant endeavours of papists to subvert our happy constitution, and the protestant religion, “ by the most cruel, violent, and unjustifiable methods; that he would not take upon him to charge any particular persons among them with being concerned in the horrid conspiracy: that it was notorious, that many of them had been engaged in the Preston rebellion; and some were executed for it; and that the present plot was contrived at Rome, and countenanced in popish countries; that many of the papists were, not only well-wishers to it, but had contributed large sums for so nefarious a purpose; and, therefore, he thought it but reasonable they should bear an extraordinary share of the expenses, to which they had subjected the nation.’ Whatever opinions may be formed of this measure, according to the strict rules of theoretical justice, the policy was unquestionable. This instance of rigour effectually discouraged the catholics from continuing their attempts against the government, and operated as a constant check on the turbulent spirit of the nojurors.”

## LXX. 4.

*Negotiation for obtaining a partial Repeal of the Penal Laws.*

THE imputed attachment of his majesty's roman-catholic subjects to the exiled family, raised a new obstacle to their hopes of relief: all, it is probable, would have signed an explicit declaration, that they would do no act that should offend or disturb, in any manner, his majesty's person or government; but the profession of allegiance, which was required from them, seemed to recognize the theoretical justice of his majesty's possession of the throne;—and to this, not catholics alone, but a considerable portion of the protestant part of the kingdom, at this time conscientiously objected.

At the time, of which we are now speaking, these scruples, however honourable to those who entertained them, on account of the conscientious feelings which gave rise to them, were evidently ill-founded. The rights and duties of protection and allegiance are correlative: no one is entitled to the allegiance of a person, whom he wants either power or will to protect. Most frequently it is difficult to determine the precise moment at which a monarch, once legally possessed of this power and this will, is so completely dispossessed of either, as to forfeit his right to the allegiance of his subjects: but, after some lapse of time, a period usually arrives, when, in consequence of the general submis-

sion of the people, the acquiescence of foreign states, and the annihilation of the power and resources of the discarded monarch, it becomes evident that he no longer possesses any probable means of restoring himself to his former sway.—The power of protection then ceasing, the duty of allegiance ceases with it, and the new order of things is, for every practical purpose, legitimated.—On this ground pope Zachary crowned Charlemagne,—a successor of Zachary acknowledged Hugh Capet,—and the present pope submitted to Buonaparte, assisted at his coronation, and blessed him and his empress. This was at no remoter period than eleven years after the expulsion of the Bourbons\*: but, almost three times the same number of years had, at the time of which we are now speaking, elapsed subsequently to the revolution of 1688.—On this ground, all catholics of information and judgment perceived, that the dynasty of the Stuarts had no longer any claim to their allegiance or political attachment; and that the adopted monarch had a perfect title to the allegiance of every Englishman, and might justly claim a profession of it, and a rejection of all political connection with foreigners.

It happened that, at this time, Dr. Strickland the bishop of Namur† was in London, he was per-

\* The reader is invited to read what is said on this subject by the writer in his *Revolutions of the German Empire*, notes i. and ii.

† This gentleman was an adherent of the pretender, and had been promoted, by his interest, to the abbey of St. Pierre de Prou, in Normandy. During the quarrel between the

sonally known to George the first, and greatly esteemed both by him and his favourites. After conferring with them, he drew up certain requisitions, intending to submit them to the principal catholics, and to procure their acquiescence. We shall transcribe them, and two letters of Mr. secretary Craggs, giving an account of the result of the negotiation:—after much inquiry, we can procure no farther information respecting it.

“ Requisition.

“ In order to put the roman-catholics in a way  
 “ of deserving some share in the mercy and protec-  
 “ tion of the government, 'tis required that some of  
 “ the most considerable among 'em depute a proper  
 “ person with a letter to the pope, to inform him,  
 “ that whereas they must otherwise be utterly  
 “ ruined, they may yet obtain some liberty and se-  
 “ curity for their religion, upon four conditions; all

emperor and George the first, in 1726, he maintained a correspondence with the leading members of the opposition to sir Robert Walpole. These, in conformity with the emperor's wishes, unwisely strove to engage Great Britain in a war with France. By their interest, Strickland was made bishop of Namur, and the emperor sent him on a private mission to the English monarch, with credential letters, and various documents justifying his own measures and views, and criminalizing those of sir Robert Walpole. The bishop arrived in London under a feigned name, was graciously received by the king and the queen, and had many conferences with lord Harrington, a leading member in the opposition cabinet. But the minister was soon informed of the negotiation, and frustrated the attempt. Strickland was soon after civilly dismissed. “ Coxe's History of the House of Austria,” vol. ii. p. 145.

“ in his own power, and all evidently consistent with  
“ roman-catholic principles.

1. “ ‘Tis required he order his former decree\*  
“ about the oath of allegiance, now dormant in the  
“ hands of his intermuncio at Brussels, to be pub-  
“ lished and executed by proper delegates, and in  
“ the most effectual manner, for the information of  
“ the people.

2. “ That he take away the name and office of  
“ protector of England from cardinal Gualterio,  
“ the pretender’s public and declared agent, and  
“ confer the same upon some other, no ways engaged  
“ in any factions, or obnoxious to this government.

3. “ That he revoke the indult granted to the  
“ pretender for the nomination of the Irish bishop-  
“ rics, and solemnly promise the emperor to govern  
“ these missions without any communication direct  
“ or indirect with the pretender, or regard to his  
“ interests.

4. “ That any person employed in these missions  
“ shall be revoked or called away *bond fide* by his  
“ respective superiors, upon intimation of any of-  
“ fence by him given to the government.—As the  
“ emperor has engaged to bring the pope to these  
“ terms, it will be necessary to send also to him with  
“ a letter to desire his mediation in this affair.”

“ It will be sufficient these letters be subscribed  
“ by the duke of Norfolk, lord Stafford, lord Mon-  
“ tagu, lord Walgrave for the nobility, and by sir  
“ John Webbe, Mr. Charles Howard, Mr. Stonor,  
“ and Mr. Arundell Bealing for the gentry.

“ As any delays or tergiversations in coming into

• Of this decree, the writer can learn nothing.

“ these measures, can never be coloured with any  
“ pretence of religion or conscience, so if any should  
“ be made by persons obstinately disaffected, the  
“ government would then have no means left to  
“ secure the peace of the kingdom, but in the real  
“ and full execution of the penal laws, and more  
“ particularly of the act for transferring the right  
“ of succession to the next protestant heir, upon the  
“ immediate heir not conforming at the age of  
“ eighteen ; and of the late register act, for taking  
“ away the two thirds. But 'tis hoped that the  
“ roman-catholics, by a ready concurrence in what  
“ is equally their duty and their interest, will make  
“ it practicable for a mild government to treat 'em  
“ with moderation and lenity, if they endeavour to  
“ deserve it as well as other dissenters.”

“ My lord,        “ Whitehall, 30 June 1719.

“ This private letter is to inform your lordship  
“ that doctor Strickland arrived here some days  
“ ago, during which time he bent all his thoughts  
“ upon the matter which your lordship knows he  
“ had in hand. He came to me with a paper,  
“ whereof the inclosed is a copy, which he thought  
“ was digested into the properest manner, to be  
“ shown to the roman-catholics therein mentioned.  
“ At his request and persuasion I carried a copy of  
“ that paper, not signed, to a meeting, where the  
“ duke of Norfolk, lord Walgrave, and Mr. Charles  
“ Howard, assisted.

“ After having discoursed with those gentlemen  
“ upon the contents of it, I found the two noblemen

“ inclinable to come into the proposal therein made ;  
“ and though Mr. Howard showed an unwillingness,  
“ yet I came away with hopes that the affair would  
“ be done in the manner proposed : and the doctor  
“ believed no less ; for it went so far, that they even  
“ desired him to prepare the two letters to the  
“ emperor and the pope. This happened three  
“ days ago.

“ But since that time, I understand those gentle-  
“ men have had several consultations, and by their  
“ behaviour begin to show a coolness, as if they  
“ would depart from what they had appeared ready  
“ to subscribe to ; that they have behaved themselves  
“ with reservedness to the doctor, and have not sent,  
“ as they said they would, for Mr. Stonor, the best  
“ intentioned of them all, to consult him. The  
“ doctor expects to be told this night the result of  
“ their deliberations, which he believes, after all the  
“ hopes he had conceived, will end in an absolute  
“ refusal of what has been proposed, or at least of  
“ some part of it. This alteration, if it prove to be  
“ so, he imputes to the insurmountable resistance  
“ of Mr. Charles Howard, and perhaps to the en-  
“ couragement of some tories, who were possibly  
“ consulted on this occasion. However the success  
“ of that affair is like to be, I thought proper to ac-  
“ quaint your lordship wholly with it and whatever  
“ comes of it hereafter. I shall then also let your  
“ lordship know it. I should have added, that the  
“ doctor seems so piqued at this usage, and so  
“ heartily in the business, that in case the gentle-  
“ men come to the resolution he apprehends, he

“ would be for taking up immediately bishop  
“ Gifford, Mr. Grey (the true earl of Shrewsbury who  
“ enjoys the estate, though another possesses the  
“ title), and some other heads of that set of people,  
“ and by that glaring instance exert a power which  
“ may effectually and quickly terrify them into a  
“ compliance.—I am with great respect, my lord,  
“ your lordship’s most obedient humble servant,

“ R. H. Earl Stanhope.”      “ *J. Craggs.*”

“ It is now past ten o’clock at night when I re-  
“ ceived this news so different from what I write  
“ you in my private letter of this date.    *J. C.*”

“ Sir,

July 1, 1719.

“ In pursuance of the directions you left with  
“ me when I had the honour of seeing you at  
“ Mr. Strickland’s, I showed the paper you gave me  
“ to those of the gentlemen named in it that were  
“ in town. The shortness of the time in which we  
“ were to give our answer, and the secrecy you en-  
“ joined in the affair, has put us under very great  
“ difficulties. We were all very unwilling to let  
“ any opportunity slip, in which we might show our  
“ readiness in coming into any thing, that would  
“ show our good intentions; but being but four of  
“ those named in the paper, could not venture to  
“ answer for the other four, whose signing was re-  
“ quired; much less to engage for so many others  
“ that are not in town, and if they were, could not  
“ be consulted. This being the chief difficulty, at  
“ present it will be needless to trouble you with the

“ objections made to some of the articles, particularly that of application to foreign powers, and “ we would much rather owe, whatever favours we “ receive, to your generous disposition, than to any “ other solicitation whatsoever ; and we cannot but “ flatter ourselves, that when more of the parties “ concerned are in town, you will retain the same “ favourable intentions towards us you were so good “ as to own ; and I am bold to say for my own “ part, and I believe may answer not only for those “ I have spoken to, but even for numbers, that whenever time gives us an opportunity to meet, and “ you leave to acquaint them, you will find so suitable and unanimous a disposition in them to receive the favourable and generous indulgence you “ are pleased to offer : for my own part, I cannot “ but conceive great hopes of success in this affair, “ since it is undertaken by so generous a person as “ yourself, for the relief of so many distressed “ people, and which shall always be remembered “ as the greatest obligation done to, sir,

“ Your most obedient humble servant,  
“ Mr. Secretary Craggs.” “ *Norfolk.*”

“ The paper you gave me I left with Mr. Strickland.”

“ My lord, Whitehall, 7th July 1719.  
“ I promised your lordship, in one of my private letters of the 30th past, that whatever became of the affair relating to roman-catholics, I would give you an account of it. It happened as I did then imagine it would, that the duke of Norfolk and

“ lord Walgrave were overswayed by Charles  
“ Howard, who continued obstinate to the last, and  
“ **that** from a mere spirit of opposition, for Strick-  
“ land says **his** intentions at bottom are otherwise  
“ good, but he is a **wrong**-headed fellow and spoiled  
“ all. However, I afterwards met with lord Wal-  
“ grave, who began to excuse himself **upon** what had  
“ passed, and would have proposed some other ex-  
“ pedients to me upon the affair ; but I showed an  
“ indifference, and told him that if he had anything  
“ to say, he must consult Dr. Strickland, for I  
“ would meddle no more in it. They had affected  
“ to be reserved towards the doctor in all their  
“ deliberations, but this answer made them alter  
“ their course ; they went to his house ; where they  
“ gave their reasons of fear, conscience, honour, &c.  
“ all which the doctor combated strenuously, and  
“ at last convinced them of the necessity of signing  
“ the two letters, which they agreed to, and desired  
“ him to draw them up immediately and they would  
“ come in the afternoon to sign them. The letters  
“ being prepared, they came according to appoint-  
“ ment, but their resolutions changed. Charles  
“ Howard and the duke withdrew several times  
“ into the back room to consult, where no doubt the  
“ former got the better again of the latter, for they  
“ determined at last not to sign, and so left the  
“ doctor. The duke went immediately afterwards  
“ out of town, but first sent me a letter of which I  
“ inclose a copy : that will best show your lordship  
“ what he had to say for himself, and the copy of  
“ mine, also inclosed, what answer I made him upon

“ it. The matter being thus broke off, I have determined to put the thing in execution which I said in my former letter I intended in that case, by tendering the oaths to Howard and seizing bishop Gifford and Grey (the earl of Shrewsbury). But because this proceeding is chiefly with a view to make them squeak, I would contrive to do it in such a manner as not to put them out of my power, by over acting it, into that of the law. For which end I have desired Delafaye to pick out a couple of discreet justices of peace of his acquaintance, that will, as of themselves, take up Howard and Gifford, and afterwards do just what Delafaye shall bid them, without carrying their zeal too far. And as for Grey, I think some trusty and understanding messenger must be sent to manage him, for he is seventeen miles off. Strickland persuades this method will have its effect, and make them ready to sign even stronger letters than those already proposed to them; and as they know the doctor intends very shortly for France, and that they are allowed no other conferant but him, it may be expected we shall quickly know what they will do.

“ I take this occasion to send your lordship a private letter from the duke of Bolton to me, which was omitted in my last, and likewise another I received last night, which will show your lordship what temper Ireland is in upon the opening of that parliament.—I am, my lord, your lordship's most obedient and most humble servant,

“ R. H. Earl Stanhope.”

“ J. Craggs.”

## CHAP. LXXI.

GEORGE II.

1727.

## THE CONDITION OF THE ENGLISH ROMAN-CATHOLICS DURING HIS REIGN.

OUR subject now leads us, I. To mention in a few words the state of the catholics at this period : II. We shall then notice the contests between the high church and the low church, and the consequences favourable to the catholics, with which they were attended : III. Some acts in favour of the protestant dissenters : IV. The dispute occasioned by the work of Dr. Courayer on the validity of the ordinations of the English protestant clergy : V. And the correspondence between archbishop Wake and Dr. Dupin, for the re-union of the roman-catholic and the English churches.

## LXXI. 1.

*General State of the English Catholics during this reign.*

THE reign of George the second is remarkable for its being the first, after the reformation, in which no new law was enacted against the roman-catholics.

This circumstance does the monarch and his government the greater honour, as the rebellion in 1745, in which several roman-catholics were

engaged, furnished the enemies of their religion with a pretence for calling down upon them a severe execution of the existing code, and even an extension of its severities. Better councils prevailed: the whole penal code was continued in force; but the instances, in which it was put into activity, were not very numerous. When they occurred, they were produced either by the mischievous activity or the selfish feeling of individuals;—but were very seldom, if ever, countenanced by the government.—Some freedom was allowed to the catholics in the exercise of their religion: still, through the whole of this reign, the catholics were molested by informers, their lands were doubly taxed, their enjoyment of them was insecure, sometimes they were wrested from them by a protestant next of kin; and, (which was a dreadful calamity), they continued subject to the constructive recusancy mentioned in the preceding chapter, and to all its terrors.

In 1729, the second year of this reign, Matthew Atkinson, a missionary priest, died in Hurst castle, after an imprisonment in it during thirty years, for the exercise of his religious functions.

#### LXXI. 2.

##### *Contest between the High Church and Low Church;— Progress of religious Toleration.*

THE latitudinarian divines have been mentioned: the spirit of religious liberty, by which they were animated, was spread by their writings over the

nation; it reached the continent, and often returned from it, enriched and invigorated.

We must however observe, with Mr. Gibbon\*, that three writers, by whom the rights of toleration were nobly defended, Locke, Boyle, and Leibniz, were laymen and philosophers;—they had been preceded by Grotius; but, by a strange inconsistency, while that great man condemned the tribunal of the inquisition, he approved the imperial law of persecution †. Locke's "*Letters on Toleration*," exhausted the subject: they are unanswered and unanswerable, and seem to have set the question at rest for ever. The principles of the revolution embodied both the friends of civil and the friends of religious liberty, and united them in the general cause. We have mentioned the opposition between the political principles of the latitudinarian and those of the nonjuring divines: each soon received a new religious appellation. Before this time, the advocates for the lawfulness of resistance to government had been called whigs, the opposers of this doctrine had been called tories; the latitudinarians joined the former, the nonjurors the latter; and, so far as politics were concerned, received their respective denominations. But their different opinions in religious matters, particularly on the authority of the church and her dependance on the civil magistrates,—which dependance was asserted by the whigs, and denied by the tories,—introduced a new distinction; the advocates

\* Ch. liv. note 39.

† *De rebus Belgicis Annal. l. i. p. 13, 14. 12mo.*

for its dependance, were called the low church; the advocates for its independance, were called the high church. For a time, the distinction was strongly marked;—by degrees, the nonjurors disappeared, but the whig divines,—whigs both in politics and divinity,—filled their camp, and perpetuated in the church, both their own civil and their own religious principles. Liberty was their constant theme; they proved by arguments, which could neither be answered nor evaded, that liberty of belief in religious concerns was, in respect to the civil magistrate, a common benefit, an unquestionable and undeniable right. They excluded the catholics alone from it:—But they candidly and unequivocally admitted that one reason only,—“ the supposed enmity of the catholics “ to civil government, as then settled in the land\*,”—justified the exclusion.

The advantages, which the catholics derived from this concession, were incalculable.—So far as respected their title to a participation in the blessings of the constitution, all questions respecting their religious tenets became unnecessary; as, to prove their title to be delivered from the penal laws, and to be placed on an equality of civil right with their fellow subjects, nothing could now be required of them, but to show, that they equalled them in loyalty to their king, affection to their fellow subjects, and attachment to the constitution.

Dr. Hoadley, bishop, first of Bangor and afterwards of Winchester, was at the head of the whig

\* Hoadley's Common Rights of Subjects.

divines ; and, under his auspices, after a controversy of more than twenty years, to which the prelate's first see gave the name of the Bangorian controversy, the doctrines of the whig divines both on civil and religious liberty obtained a complete triumph :—the principle of the revolution was received by the protestant church, and its religious creed was reduced to two articles,—one, that a christian acknowledges no law but the scripture, no interpreter of it but his own conscience ;—the other, that the magistrate should regulate the rest, and that confessions and formularies of faith should be considered as edicts of the state, not as articles of doctrine ; and may be subscribed without assent or belief, as mere terms of civil concord\*. Hence, though they signed the thirty-nine articles, they treated them very cavalierly. They “are not,” says Dr. Balguy †, “exactly what we wish them : “some of them are expressed in doubtful terms ; “others are inaccurate, perhaps unphilosophical ; “others again may chance to mislead an ignorant reader into some erroneous opinions.” Dr. Sturges ‡, the friend of Balguy, expresses as little admiration of them.

The triumph of Hoadley and his disciples over the antient principles of the established church may be assigned to the year 1720. In that year Hoadley

\* See Discourses on various subjects, by Thomas Balguy, archdeacon, prebendary of Winchester, &c. dedicated to the king, 1785 ; particularly Discourse VI.

† “Discourses,” p. 293.

‡ “Considerations on the Church Establishment,” p. 27, 28.

preached his famous sermon "On the Nature " of the Kingdom or the Church of Christ :" he maintained that the clergy have no pretensions to any temporal jurisdiction, and that temporal princes have a right to govern in ecclesiastical politics. So great offence was taken by the clergy, at these doctrines, that it was resolved to proceed against him in convocation as soon as it should sit. The lower house of convocation accordingly drew up their representation ; but, before it could be brought into the upper house, the king prorogued the assembly by a special order, and the convocation never met afterwards. Hoadley always declared that this was done not only without his seeking, but without his knowledge or suspicion. He rejoiced however in it ; as the debate was, by this means, taken from the bar of human authority, and brought to that of reason and the scripture. Removed from a trial by a majority of voices, (which, could not, he said, be a trial to be contended for either by truth or by the church of England), and brought to that of argument.

Some serious protestants, however, were alarmed at this scanty creed : they observed its discrepancy from the creeds of the first reformers, and trembled for the consequences.—The catholic smiled at the controversy, and claimed, for his church, that right of interpreting the scriptures, which each individual protestant claims for himself.

## LXXI. 3.

*Acts in favour of the Protestant Dissenters.*

THE general rejection of the doctrine of passive obedience, was one of the greatest achievements of bishop Hoadley.

“ Passive obedience,” says Mr. Hume\*, “ is expressly and zealously inculcated in the homilies†, “ composed and published by authority in the reign “ of queen Elizabeth.” The corporation act‡ prescribed, that all magistrates should testify both their belief that it was not lawful, upon any pretence whatever, to resist the king, and their abhorrence of the traitorous position of taking arms, by the king’s authority, against his person, or against those who were commissioned by him.—The decree of the university of Oxford, passed in convocation, in 1683§, mentions the positions, that “ all civil authority is derived originally from the people;” —and that, “ there is no obligation upon christians to passive obedience, when the prince commands any thing against the laws of our country,” among—“ damnable doctrines, destructive to the sacred persons of princes, their state and government, and all human society.” In a similar strain, the address of the university of Cambridge||, presented, about the same time, to Charles the second, declares, that “ no earthly power, no means or misery, should ever be able to make them re-

\* Hist. vol. viii. note (R.) p. 161. † Homil. x. 28.

‡ 13 Car. II. § Coll. Hist. vol. ii. 902. || Ib. 903.

“ nounce or forget their duty ; that they would still  
“ believe and maintain, that our princes derive not  
“ their title from the people, but from God ; that  
“ to him only, they are accountable ; that it belongs  
“ not to subjects either to create or censure, but to  
“ honour and obey their sovereign, who comes to  
“ be so, by a fundamental hereditary right of suc-  
“ cession, which no religion, no law, no fault or  
“ forfeiture can alter or diminish.”

Counterpositions were maintained by Hoadley, —and we have mentioned his triumph. In consequence of it, by an act of the 5th of George the first, the clause, in the corporation act, which asserts the doctrine of non-resistance, was repealed.

In 1736, an act of indemnity mitigated the effect of the test act, by giving time to persons to qualify themselves to hold offices under the provisions of that act, till the 1st of August in that year.—An indemnity act, passed in 1743, was more comprehensive, as it mitigated the effect both of the corporation and the test acts. From that period, to the present time, similar acts of indemnity have been passed annually as a matter of course, and they extend to both the restrictive acts.—By this annual act, after mentioning the corporation and test acts, it is provided, that persons, who, before the passing of it, have omitted to qualify themselves in the manner prescribed by those acts, shall, if they properly qualify themselves for them, before the 25th of the ensuing December, be indemnified against all penalties, forfeitures, incapacities and disabilities ; and their elections and the acts done

by them are declared to be valid.—The act expresses nothing, which excludes roman-catholics from the benefit of its provisions.—Considering the annual indemnity act as a matter of course, which it evidently is, the protestant dissenters are thus virtually exempted from the corporation and test acts; and as they have no objection to the oath of supremacy, they are not affected by the act of the 1st of George the first, which requires, as we have mentioned, all persons, bearing offices civil or military, or holding command or place of trust, or receiving pay or wages under any patent or grant from his majesty, to take the oath of supremacy under a penalty of 500*l.* and under other penalties. But the conscientious scruples of catholics to take this oath, continued to subject them, though they are relieved by the annual act of indemnity from the corporation and test acts, to the act of George the first, and its disqualifications.

## LXXI. 4.

*Doctor Courayer.*

SOON after the reformation was established in England by queen Elizabeth, a controversy arose on the validity of the ordinations of the clergy of the church of England, Dodd gives, in his Church History\*, a full view of the principal facts and arguments produced by the writers on each side. The controversy was renewed by Mr. Thomas

\* Vol. ii. p. 269, *et seq.*

Ward in 1719: a work\*, written by him on this subject, was much read, and produced several answers. Some publications on the same subject,—as the “*Mémoires sur la validité des Ordinations des Anglois*,” of the abbé Renaudot,—appeared on the continent. They attracted the attention of Peter Francis Courayer, a canon regular of St. Généviéve at Paris. In the disputes on jansenism he had taken an active part, and was among those, who appealed from the bull *Unigenitus*. In 1723, he published his “*Dissertation sur la validité des Ordinations des Anglois, et sur la Succession des Evêques de l'Eglise Anglicane*,”—which was immediately translated into English.—Replies to it were published by the abbé Gervaise, Mr. Fennel, and the fathers Hardouin and le Quien of the society of Jesus: that, of father le Quien, was considered to be the most ably written. Father Courayer published a defence of his work in 1726. The university of Oxford presented him with a diploma, conferring upon him the degree of doctor of laws.

Understanding that his liberty was in danger, he took refuge in England, and was kindly received by Dr. Wake, then archbishop of Canterbury, and by Dr. Sherlock, bishop of London: a pension was settled upon him. His work was censured in France, first, by the cardinal de Noailles; then, by two different assemblies of bishops, one at Paris, another at Embrun; and finally, by a bull of pope Benedict the fourteenth. As a reply to these, he

\* “*The Controversy of Ordination truly stated.*” 8vo.

published his “*Relation historique et apologétique des Sentimens et de la Conduite du père le Courayer, chanoine régulier de Ste. Généviève.*”—He afterwards published French translations, with notes, of “*Father Paul’s History of the Council of Trent,*” and Sleidan’s “*History of the Reformation.*” He died in 1776, at the advanced age of ninety-five, retaining to the last his mental faculties. He was well received at the court of George the second, and particularly noticed by queen Caroline and the princess Amelia. Having lived in intimacy with many persons of distinction, both in France and England, and being possessed of extensive literary information, his conversation was singularly pleasing and instructive. He always professed himself to be a sincere member of the roman-catholic religion, and attended mass regularly on Sundays and holydays when his health permitted, and an opportunity of doing it offered; but, when this was not the case, he attended the service of the parish church\*.

After the decease of le Courayer, Dr. Bell, prebendary of Westminster, published his last sentiments, under the title of “*Déclaration de mes derniers Sentimens sur les différens Dogmes de la Religion, par feu Pierre Francois le Courayer.*” The manuscript of it had been given by him to the

\* On the controversy occasioned by doctor Courayer, a work published on the continent, “*Commentatio Historico-Theologica de Consecratione Anglorum Episcoporum, ab Olao Kiorningio, Helmstadii, 1739, 4to.*” may be usefully consulted.

princess Amelia about nine years before his death. He professes in it to die a member of the roman-catholic church ; but the contents of it make it evident that he could not be accounted a member of that, or any other established church. In 1814, a more full exposition of his religious sentiments, intituled, "*Traité, où l'on expose ce que l'Ecriture nous apprend de la Divinité de Jésus Christ*," was published by Dr. Bell. From these works, the general laxity of the opinions of père le Courayer on religious subjects clearly appears.

## LXXI. 5.

*Correspondence between archbishop Wake and Dr. Dupin, for the Re-union of the Church of Rome and the Church of England.*

A VIEW of the fatal effects which this animosity has produced in the christian world, has often made wise and peaceful men endeavour to re-unite all denominations of christians in one religion. With this view, at an early period of the reformation, Melancthon formed his celebrated distinction of the points in dispute between roman-catholics and protestants, into the essential, the important, and the indifferent :—in a later period of the reformation, Grotius, the most learned man of his age, employed the last years of his life in projects of religious pacification : towards the end of the seventeenth century, a correspondence for the re-union of the roman-catholic and lutheran churches was carried on between *Bossuet* on one side, and

*Leibniz* and *Molanus* on the other ; it may be seen in the Benedictine edition of the works of Bossuet, and Mr. Duten's edition of the works of Leibniz.

That such men as Melancthon, Grotius, Bossuet, Leibniz, and Molanus, should engage in the project of re-union, is a strong argument in favour of its practicability ; that it failed in their hands, may show that it is more than an Herculean labour ; but does not prove it utterly impracticable. It is evident, that, at one time more than another, the public mind may be disposed to peaceful councils, and to feel the advantage of carrying mutual concession, as far as the wise and good of each party wish them carried. Perhaps the time is now come :

“ The soul's dark cottage, batter'd and decay'd,  
“ Lets in new lights through chinks which time has made.”

WALLER.

Through the flaws and breaches, the yawning chasms, (as they are termed by Mr. Burke), which the events of the times have made in the civil and ecclesiastical institutions of almost every country, a flood of light seems to break in, and to point out to all who invoke the name of Christ, the expediency of mutual forbearance, mutual good humour, and a general coalition in defence of their common christianity \*.

All christians believe, 1st. That there is one

\* A short account of the epistolary correspondence between Bossuet and Leibniz, for the re-union of the roman-catholic and lutheran churches, is given in the author's life of Bossuet.—A very interesting account of the attempts which have been made to effect an union of the protestant churches among themselves, is given by Mosheim, cent. xvii. sec. ii. part ii. ch. i.

God ; 2d. That he is a Being of infinite perfection ; 3d. That he directs all things by his providence ; 4th. That it is our duty to love him with all our hearts, and our neighbour as ourselves ; 5th. That it is our duty to repent of the sins we commit ; 6th. That God pardons the truly penitent ; 7th. That there is a future state of rewards and punishments, when all mankind shall be judged according to their works ; 8th. That God sent his Son into the world to be its Saviour,—the author of eternal salvation to all who obey him ; 9th. That he is the true Messiah ; 10th. That he taught, worked miracles, suffered, died, and rose again, as is related in the four gospels ; 11th. That he will hereafter make a second appearance on the earth, raise all mankind from the dead, judge the world in righteousness, bestow eternal life on the virtuous, and punish the workers of iniquity.

In the belief of these articles, all christians, roman-catholics, lutherans, calvinists, socinians, and unitarians, are agreed. In addition to these, each division and subdivision of christians has its own tenets\*. Now, let each settle among its own members, what are the articles of belief peculiar to them, which, in their cool deliberate judgment, they consider as *absolutely necessary* that a person

\* “ The Creed of pope Pius the fourth,” expresses the whole of the roman-catholic creed ; we have therefore inserted it in the Appendix, Note II.

A more full statement of the points in controversy between catholics and protestants, is found in Bossuet’s “ *Exposition de la Doctrine de l’Eglise catholique sur les matières de Controverse.* ” 12mo.

should believe, to be a member of the church of Christ:—let these articles be divested of all foreign matter, and expressed in perspicuous, exact, and unequivocal terms;—and, above all, let each distinction of christians earnestly wish to find an agreement between themselves and their fellow christians:—the result of a discussion, conducted on this plan, would most assuredly be, to convince all christians that the essential articles of religious credence, in which there is a real difference among christians, are not so numerous as the verbal disputes and extraneous matter, in which controversy is too often involved, make them generally thought.

Of all protestant churches, the national church of England most nearly resembles the church of Rome. It has retained much of the dogma, and much of the discipline of roman-catholics; it preserves down to the subdeacon, the whole of their hierarchy; and, like them, has its deans, rural deans, chapters, prebends, archdeacons, rectors and vicars; a liturgy, taken in a great measure from the roman-catholic liturgy; and composed, like that, of psalms, canticles, the three creeds, litanies, epistles, gospels, prayers and responses. Both churches have the sacraments of baptism and the eucharist, the absolution of the sick, the burial service, the sign of the cross in baptism, the reservation of confirmation and order to bishops, the difference of episcopal and sacerdotal dress, feasts and fasts. Without adopting all the general councils of the church of Rome, the church of England has adopted the

first four of them ; and, without acknowledging the authority of the other councils, or the authority of the early fathers, the English divines of the established church allow them to be entitled to a high degree of respect. On the important article of the eucharist, the language of the thirty-nine articles sounds very like the doctrine of the church of Rome.—Add to this, that of all protestant churches, the church of England alone is, in the true sense of the word, episcopal.

At the time of which we are speaking, the doctrines of the high church, which are generally considered to incline to those of the roman-catholics more than the doctrines of the low church, were in favour with several great dignitaries of the established church of England ; and in France, where the ultramontane principles on the power of the pope had always been discountenanced, the disputes of jansenism were supposed to reduce it very low. On each side, therefore, the time was thought favourable to the project of the ré-union.

It was also favourable to it; that, a few years before this period, an event had taken place, which naturally tended to put both sides into good humour.

On the occasion of the marriage of the princess Christina of Wolfenbottel, a lutheran,—with the archduke of Austria, her court consulted the faculty of theology of the university of Helmstadt on the question, “whether a protestant princess,—designed to marry a catholic prince, could, without wounding her conscience, embrace the roman-

“catholic religion?” The faculty replied, “that, “it could not answer the proposed question in a “solid manner, without having previously decided, “whether the catholics were or were not engaged “in errors that were fundamental, and opposed to “salvation; or, (which was the same thing), whe- “ther the state of the catholic church was such, “that persons might practise in it the true worship “of God, and arrive at salvation.” The divines of Helmstadt discussed this question at length; and concluded in these terms: “After having “shown, that the foundation of religion subsists “in the roman-catholic religion, so that a person “may be orthodox in it, live well in it, die well in “it, and obtain salvation in it, the discussion of “the proposed question is easy. We are, there- “fore, of opinion, that the most serene princess of “Wolfenbottel, may, in favour of her marriage, “embrace the catholic religion.” This opinion is dated the 28th of April 1707, and was printed in the same year at Cologne. The journalists of Trevoux inserted both the original and a French translation of it in their journal of May 1708.

Under these circumstances, the correspondence in question took place. It began in 1718, through Dr. Beauvoir, chaplain to lord Stair, his Britannic majesty’s ambassador at Paris. Some conversation on the re-union of the two churches having taken place between Dr. Dupin and him, he acquainted the archbishop of Canterbury with the subject of them. This communication produced some compliments from the archbishop to Dr.

Dupin, and these led the latter to address to his grace a letter, in which he mentioned generally, that, on some points in dispute, the supposed difference between the two communions was reconcileable. The correspondence getting wind, Dr. Piers pronounced a discourse in the Sorbonne, in which he earnestly exhorted his colleagues to promote the re-union, by revising those articles of doctrine and discipline, which protestants branded with the name of papal tyranny; and contended, that by proscribing the ultramontane doctrines, the first step to the re-union would be made. The discourse was communicated to Dr. Wake: in his answer, he pressed Dr. Dupin for a more explicit declaration on the leading points in controversy.

In compliance with this requisition, Dr. Dupin drew up his "*Commonitorium*," and communicated it to several persons of distinction, both in the state and church of France. He discussed in it the thirty-nine articles, as they regarded doctrine, morality and discipline. He insisted on the necessity of tradition, to interpret the scriptures, and to establish the canonicity of the books of the Old and New Testament. He insisted on the infallibility of the church in faith and morals; he contended that the sacrifice of the mass was not a simple sacrament, but a continuation of the sacrifice of the cross.

The word "transubstantiation," he seemed willing to give up, if the roman-catholic doctrine, intended to be expressed by it, were retained. He proposed, that communion under both kinds, or under bread alone, should be left to the discretion

of the different churches ; he consented that persons in holy orders should retain their state, with such provisions as would place the validity of their ordination beyond exception. The marriage of priests in the countries, in which such marriages were allowed, and the recitation of the divine service in the vulgar tongue, he allowed ; and intimated that no difficulty would be found in the ultimate settlement of the doctrine respecting purgatory, indulgences, the veneration of saints, relics or images. He seems to have thought that the pope can exercise no immediate jurisdiction within the dioceses of bishops, and that his primacy invested him with no more than a general conservation of the deposit of the faith, a right to enforce the observance of the sacred canons, and the general maintenance of discipline. He allowed, in general terms, that there was little substantially wrong in the discipline of the church of England ; he deprecated all discussion on the original merit of the reformation, and professed to see no use in the pope's intervention, till the basis of the negotiation should be settled.

The answer of the archbishop was not very explicit : it is evident from it, that he thought the quarrels on jansenism had alienated the jansenists and their adherents from the pope, much more than they had done in reality. He was willing to concede to the pope a primacy of rank and honour, but would by no means allow him a primacy of jurisdiction, or any primacy by divine right. On the other points, he seemed to have thought that

they might come to an agreement on what they should declare to be the fundamental doctrine of the churches, and adopt, on every other point of doctrine, a general system of christian toleration.

The correspondence, which is very interesting, may be seen in the last volume of the English translation of Dr. Mosheim's Ecclesiastical History. To facilitate the accomplishment of its object, Dr. Courayer published a treatise, which we have mentioned, on the validity of English ordinations.

Both Dr. Wake and Dr. Dupin were censured by the members of their respective communions, for the parts which they had taken in this business. Several rigid members of the English church, and even some foreign protestants, blamed Dr. Wake for what they termed his too great concessions. In France, the worst of motives were imputed to Dr. Dupin and his associates; they were accused of making unjustifiable sacrifices in order to form an union between the jansenists and the members of the English church. Even the regent took the alarm: he ordered Dr. Dupin to discontinue the correspondence, and to leave all the papers respecting it with the minister. This was done; but the most important of them have been printed in the interesting and extensively circulated publication, which has been mentioned.

## C H A P. LXXII.

BULL OF POPE BENEDICT THE FOURTEENTH,  
REGULATING THE ENGLISH MISSION.

1753.

THE period, which this compilation has reached; now calls our attention to this internal history of the catholics.

In a former page of these Memoirs we mentioned the differences, which, at the time of which we were then speaking, subsisted between the secular and regular clergy in England, on the expediency of the appointment of bishops, and the extent of the powers with which the prelates appointed had been invested: these differences were composed by a bull of pope Benedict the fourteenth\*. No person was better qualified by learning, good sense, and pacific views, for effecting such a measure, than this amiable and respectable pontiff.

His holiness derogates by this from the bulls “*Brittania*” and “*Plantata*,” which we noticed in a former page; those having, as he observes, been issued before the establishment of the four vicariats, and not being calculated for that arrangement. He decrees, that no missionaries, secular or regular, should, whatever might be their privileges, administer the sacraments, or exercise any

5 May 1753.

other parochial duty, without the licence of the vicars apostolic within whose districts they resided. He considerably enlarges the spiritual powers of the vicars apostolic and their rights to communicate or delegate them. On the other hand, he declares that the regular clergy are to be considered as residing within their monasteries, so far as respects their internal economy: if therefore they fail in duty or give scandal, their superior is to punish them. The vicar apostolic, if the scandal be of a public nature, may require the superior to proceed against the offender, and, if the superior neglect it, he is to be deprived of his office, and the bishop himself may act. This, he says, is conformable to the canon law, and to the council of Trent. The vicars are to see that the secular clergy do not frequent taverns, or other haunts of idleness, and to proceed by suspension against those who frequent them. If a difference arise between a vicar apostolic and the superior of a religious order respecting the conduct of any of its members in the discharge of parochial duty, or in the administration of the sacraments, the sentence of the former is to be preferred to the opinion of the latter. When a superior wishes to remove a member of his order from the cure of souls, or the administration of the sacraments, he may do it, giving previous notice to the prelate;—and the prelate in ordinary may do the same. In such cases, it is not necessary that either should assign his reasons for the removal. “The vicars apostolic are particularly directed to punish in any

“manner, but always with severity, those of the clergy, who talk, without due honour, of the national government. For the clergy should know that they reside in England, not to spread reports, or to excite tumults, but for the good of religion.” His holiness imposes the same obligation on the superiors of the regulars, in respect to the members of their orders.

---

## C H A P. LXXIII.

## JANSENISM.

THE writer has attempted to give, in his “Historical Memoirs of the Church of France,” a succinct view of the principal events in the history of jansenism. After it had disturbed that church for more than a century, the catholics of England had the mortification to hear, that his holiness had been informed that jansenism had found its way to them and to their principal foreign college. Never was a charge less grounded or more triumphantly refuted; but, for a time, it occasioned considerable agitation in the catholic body.—We shall present an account of it to our readers: but to give them even a slight sketch of the nature of jansenism, it is necessary to take them back to a very distant period.

*We feel that we are free*: if we were not, conscience would not exist; for, if a man had not freedom of action, conscience could not intimate to him, either its approbation or its disapprobation of his actions.

But *how* are we free? How is free-will reconcileable either with the influence of motive on will; or with the order of the universe prescribed by the Deity; or with his prescience? For that, which his infinite mind has prescribed, or foresees, must be fixed. These questions soon engaged the attention of the Greek philosophers: some advocated the free-will of man; others denied it, and ascribed all his actions to fate or destiny, a being or an energy, which they were never able to describe or define. Among the jews, the sadducees embraced the former opinion, the pharisees, the latter. Among the mahometans a like division prevailed between the followers of Omar, and the followers of Ali. It is not a little remarkable, that, in all these instances, superior sanctity and severity were uniformly affected by the maintainers of fate;—we should naturally look for them among the maintainers of free-will.

Unfortunately, the christians engaged in these perplexing speculations:—their disputes chiefly turned on the effect, which motive, suggested by grace or the divine favour, has on human will. Does it necessitate? then, there is no free-will. Does it not necessitate? then there is a good, of which God is not author. This dispute was

brought to an issue by Pelagius and his disciples, in the beginning of the fifth century. They held, that man acts independently of divine grace, both in the choice and execution of good. St. Augustine was the advocate of grace against the Pelagians: he successfully contended, that divine grace begins, advances, and brings to perfection every thing in man, which can be justly called good, but does not force him to act against his inclination, and may therefore be resisted by his perverse will.

This is the doctrine of the catholic church. Calvin professed to adopt the doctrine of St. Augustine; but pushed it beyond its legitimate bearings, by maintaining that God, from all eternity, has determined, in respect to each individual, that he should be lost or saved: and that Christ died for those only, whom he thus designs to save:—that on them God bestows graces, which necessitate them to perform such actions, as are crowned by eternal salvation, and withholds them from all others; so that, as all are born in sin, all, from whom these graces are withheld, continue objects of divine reprobation both in time and eternity.—Thus Calvin pushed the system of St. Augustine, into the dreary doctrine of absolute predestination.

The system of Jansenius lies between the conflicting doctrines of St. Augustine and Calvin, but veers considerably to the latter. It is fully detailed in a work composed by Jansenius, which, from the alleged conformity of its doctrine with that of the

learned father, he intituled, "Augustinus." Five propositions, containing the essence of that work, were extracted from it, and condemned at different times by pope Innocent the tenth, and some succeeding popes. The doctrines of Jansenius were afterwards adopted by Quêsnel, a priest of the congregation of the oratory.—A work written by him, intituled "Moral Reflections," was greatly admired on its first appearance: but, when it was attentively examined, was found to contain the doctrines of Jansenius, blended, in an elegant and artful manner, with much, that was really good.

It was condemned in 1713 by pope Clement the thirteenth, by a bull intituled, from the first word of it, "Unigenitus." Four French bishops and several of the French clergy appealed from this bull, and acquired by it the name of appellants. A controversy ensued, which has subsisted, in a less or greater degree, to the present time.

Other opinions were charged on the disciples of Jansenius; and these were the more dangerous, because bad practical consequences were deducible from them, and because, to use an expression of Bossuet, their mischief chiefly lay in pushing sound doctrine to extreme consequences; so that it became difficult to fix on the point at which the divergence from the line of truth began, and the first step into error was made. "Jansenism," said a gentleman, whose words Fleury\* cites with respect,

\* *Opuscules de Fleury*, p. 227.

“ is the most subtle heresy that the devil ever wove.  
“ The jansenists saw, that the protestants, in sepa-  
“ rating from the church, subscribed to their own  
“ condemnation, as this separation was always a  
“ matter of reproach. The jansenists therefore laid  
“ it down, for a fundamental rule of their conduct,  
“ never to separate themselves externally from the  
“ church, and always to make a profession of sub-  
“ mitting to her decisions, taking care, however,  
“ to be furnished with subtleties that would ex-  
“ plain them away; and thus, without real change  
“ of their opinion, they had the appearance of  
“ submission.”

But the accusation of jansenism was often made without sufficient ground:—all, who adopted the five propositions, or any of them,—or asserted that they, or any of them, were not contained in the *Augustinus*; and all, who adopted the propositions condemned in the work of *Quēsnel*, or any of them, in the sense in which they were condemned,—or who appealed from the bull *Unigenitus*, were properly termed jansenists; and the same appellation might be given with propriety to those, who maintained doctrines substantially the same, or fairly deducible, as consequences, from the propositions, which we have mentioned.—But, whether a doctrine was thus the same, or thus deducible, was not always clear. Hence, the imputation of jansenism was sometimes unguardedly, sometimes unjustly, and sometimes wickedly applied. This happened the more frequently on account of the proscription of jansenism by Lewis the fourteenth, and his

court\* ; "From his youth," says a well informed writer ‡, "the jansenists had been described to him, and he uniformly considered them, as a dangerous cabal ; a sect that was inimical to every kind of authority. Madame de Maintenon, "if we are to judge of her real sentiments, by a kind of profession of faith, which she sent to a young lady of St. Cyr, entertained the same opinion of them." "You will find in the New Testament," says the discerning lady, with her usual good sense, "that a good tree produces good fruit; you will also find that the jansenists produce bad fruit that they shake off the yoke of the church ; that, openly enough, they despise the pope ; that they avoid indirect blame of the king, but that they say he is mistaken ‡. That they principally affect moderation, to gain over the ladies to them. They announce to the sex that they are capable of passing judgment on doctrinal matters. In this, you see nothing of christian humility and obedience ; particularly in regard to us women, who, whatever wit we may have, are ignorant. We are too happy to be obliged by our sex and inexperience, to simplicity and submission; for this is the safest and

\* "La définition que le Maréchal d'Harcourt donna du jansénisme, étoit, 'qu'un janséniste n'étoit souvent autre chose qu'un homme qu'on voulloit perdre à la cour,' — car il suffissoit alors d'en répandre le soupçon pour perdre les meilleurs sujets dans l'esprit du roi." — Œuvres du Chancelier d'Aguesseau, tom. xiii. p. 123.

† Louis Quatorze, et sa Cour et la Régent, vol. iii. p. 87.

‡ Surely this was not heresy.

“surest road : but we are not wise enough to avail ourselves of our happiness.”—It is impossible not to admire the general good sense of these observations.

The consequence of the dislike of Lewis the fourteenth, to the jansenists was, that the words “jansenism” and “jansenist” were often wholly misapplied ; and that even, when they were used to designate real heresy or real error, the heresy or the error had nothing in common with the doctrines peculiar to jansenism. Sometimes excessive zeal, sometimes sinister views barbed the dart, which carried the imputation. This, all moderate men lamented :—it grew at length to such a height, that in 1694, pope Innocent the twelfth addressed a bull to the bishops of Flanders, in which he ordered, in the most explicit terms, “that they “should not permit any person to be traduced, or “marked out, by the vague accusation and invictious “name of jansenism, unless it had been previously “ascertained, that he had taught or held one of the “five propositions ; and that they should not permit “any one, except in a due course of law, to be “excluded, under this pretext, from offices, gra- “tuities, benefices, degrees, or the pulpit.” By a subsequent brief, in the year 1696, the same pôpe severely censured those, who spread the charge of jansenism from private views. In the same spirit, the clergy of France declared, at their general assembly in 1700, “their reprobation of those busy “and malevolent persons, who fixed on good men, “or on men zealous in ecclesiastical duty, a vague

“ and undefined charge of jansenism, because they  
“ harshly declaimed against the actual corruption  
“ of manners.”

Jansenism, even in the loosest sense, which can, with any kind of propriety, be given to that word, seems never to have made any serious progress, either among the clergy or the laity of the English catholics: yet, it was charged on the former, particularly on the clergy of Douay college; and the charge was conveyed to the congregation *de propaganda fide* at Rome\*. Grimaldi, their secretary, transmitted it to the internuncio at Brussels, with an order to communicate it to the English catholic prelates,—that the accused might have an opportunity of defending themselves. In consequence of it, Dr. James Smith, the vicar apostolic of the northern district, addressed a letter to cardinal Caprara, dated the 23d of September 1707. He first gives an absolute denial to the general charge; then, descending into particulars, gives a denial, equally absolute, to each. The clergy, in the mean time, collected testimonials of their innocence, from all the vicars apostolic, and the superiors of the regular clergy.—“ The vicar apostolic of the ‘London district,’ according to a letter which Mr. Dodd has inserted in his History,—“ accompanied by one of his vicars-general, made the “ good father-provincial of the jesuits a visit, and “ desired him freely to declare, if he knew of any “ priest in his district, who might be justly accused “ or suspected of jansenism. The reverend father,

\* Dodd, vol. iii. p. 519.

“as a person of worth and integrity, answered, “that he knew not, nor heard of any such person, “in his lordship’s whole district:—and further “added, ‘that he was newly returned from his “visit in the northern parts, and that he neither “had heard, nor did know any person in that dis- “trict, who could be accused of the said opinion “of jansenism.’”

Still, the charges continued to be made, and the college at Douay continued to be involved in them. A letter of Dr. Witham\*, the vicar apostolic of the midland district, to Dr. Paston, the president of that college, acquaints him that “cardinal “Paulucci had lately written to the two senior “vicars apostolic and to him, to acquaint them, that “his holiness had been informed, or, as the letter “has it, that notice had come to him, that many “and divers teachers and scholars in his college “publicly taught and learned the false doctrine of “Jansenius; and had commanded the said Pau- “lucci to signify to him, that he should, with all “diligence possible, procure them to be removed, “that others might be substituted in their room, of “singular piety, and particularly professors of the “catholic doctrine,—(for so he expresses himself,) “—to the end that the see apostolic might not “otherwise be necessitated to suspend the pension “or rents usually allowed to the college, and “convert them to other uses.”—The same circumstance is noticed, in the letter from Dr. James Smith to cardinal Cárprara.

\* Dodd, vol. iii. p. 520.

To defend themselves against these charges, the gentlemen of Douay college first made a firm and modest protestation of their innocence, and an explicit profession of their adherence to the holy see, and their absolute and unequivocal submission to the pontifical decrees on the subject of jansenism:—They then transmitted to Rome a testimonial from the heads of the university and town of Douay, in favour of their piety and learning, the purity of their doctrine, and their equal freedom from loose morality and affected severity.—A testimonial was afterwards subscribed by the duke of Berwick, the duke of Perth, and other distinguished persons at the court of St. Germain, by which they declared,— (as they said they were bound to do in justice and charity),—their perfect conviction that the charges brought against the college were false, invidious, and of a tendency to subvert peace and religion in the catholic church of England \*.—At length, a visitation of Douay college took place, by the order of his holiness. A strict inquiry † was made into its doctrine and discipline; and two formal subscriptions to all the decrees of the holy see, on the subject of jansenism, were made,—one in 1710, by the four vicars apostolic, and the other in 1714, by the superiors of the college. With these, his holiness, in two letters written at his direction by cardinal Paulucci, declared himself to be abundantly satisfied.

Here the matter ended.—A serious and certainly an impartial examination of the proceedings of the

\* Dodd, vol. iii. p. 521.

† Ib. 480.

jansenists, has led the writer to think that they were uniformly wrong:—wrong, in averring that the five propositions were not contained in the *Augustinus*; wrong, in maintaining that the church did not condemn them in the sense which the language of that work imported; wrong, in denying the right of the church to pronounce on the true sense of an author's writings on religious subjects; wrong, in all their distinctions and evasions; and wrong, in the excessive severity of their morality. This was the decided and avowed opinion of *Bossuet*, *Fénélon*, *Fléchier*, and *Fleury*; and the opinions of these eminent lights of the church are of the greater weight upon this point, as, with the exception of *Fénélon*, all of them abstained from the controversy.

That Lewis the fourteenth entered into it as he did, is greatly to be lamented: if he had left jansenism to the church, jansenism would, in all probability, have soon died away: it is difficult to find in history, a single instance, in which, if persecution has stopped short of extermination, it has not both increased and perpetuated the opinions which it was meant to proscribe.

It is also to be lamented, that the charge of jansenism was often inconsiderately made. It was a serious charge; and, in proportion as it was serious, should have been slowly and cautiously urged. Vague and indistinct imputations of it should have been avoided. We have seen the terms in which these were condemned by popes and prelates; those who made them should have reflected, that,

if bulls and briefs of the holy see condemned jansenism, bulls and briefs equally condemned these vague and indistinct imputations.

---

## C H A P. LXXIV.

THE METHODISTS,—THE ANTINOMIANS,—AND  
MORAVIANS.

JANSENISM was more successful in intruding itself into the protestant than into the catholic church of England.

About the time, which these Memoirs have now reached, Methodism began to attract the notice of the public. The celebrated John Wesley, its patriarch, was hostile to the leading doctrines of jansenism; the celebrated George Whitfield, a rival chief of the same denomination, was their advocate; and the difference has been perpetuated between their disciples. Some account, in this place, of the Methodists, and of the Antinomians, and Moravians, with whom their history is intimately connected, will not, it is apprehended, be deemed foreign to the subject. We shall add a succinct statement of the difference between the roman-catholic church and the lutherans and methodists, on the subject of justification.

## LXXIV. 1.

*The Methodists.*

TALENTS of no ordinary kind, and a devotional temper, were hereditary in the family of Wesley. He was born in 1703, at Epworth, in the Lindsay division of Leicestershire. Two books, "The "Following of Christ," usually ascribed to Thomas à Kempis\*, and Dr. Jeremy Taylor's "Rules of "Holy Living and Dying," made an early and a lasting impression upon him. The taking up of the cross, as it is inculcated by these writers, at first revolted him:—mentioning this to his mother, a woman of uncommon intellectual powers, she gave him this excellent lesson: "Would you judge of "the lawfulness or unlawfulness of pleasure,—take "this rule;—whatever weakens your reason, im- "pairs the tenderness of your conscience, obscures "your sense of God, or takes off the relish of spiri- "tual things;—in short,—whatever, increases the "strength and authority of your body over your "mind,—that thing is sin in *you*, however innocent

\* A Life of Thomas à Kempis has been published by the writer of these pages, 1 vol. 8vo. Numerous are the treatises written to ascertain who is the author of The Imitation: this, even now, is the subject of a literary controversy at Paris.—See "Dissertation sur soixante Traductions Françaises de "l'Imitation de Jésus Christ, dédiée à sa Majesté l'Impératrice "et Reine. Par Ant. Alex. Barbier, bibliothécaire de sa ma- "jesté l'empereur et roi, et de son conseil d'état. Suivie des "considérations sur la question relative à l'auteur de l'Imita- "tion. Paris, 1812, 8vo."

“ it may be in itself.” Wesley afterwards became acquainted with the celebrated William Law, and was much affected by his conversation and writings. One expression of that gentleman sunk deep into Wesley’s heart,—“ You would have,” Law said to him, “ a philosophical religion:—but there can be “ no such thing. Religion is the most plain, simple “ thing in the world:—it is only,—*We love Him* “ *because HE first loved us\**.”

Charles Wesley, the younger brother of John, and some of his associates, acquired at Oxford, by their piety and mortified habits, the appellation of Methodists. John soon became their leader. He addicted himself with great earnestness to theological study, obtained a fellowship in Lincoln college, and was appointed a Greek lecturer and moderator of the classes. He then travelled to New Georgia, to convert the Indians, and, at the end of two years, returned to England.

Mr. Southey, from whose valuable Life of Wesley we have extracted the foregoing passages, has given in it a curious account of the church of England, from the reformation till the time of Wesley’s predication. He closes it with the following remarkable passage, which, though we do not acquiesce in every part of it, we transcribe with pleasure.

“ Law is a powerful writer: it is said that few books have ever made so many religious enthusiasts as his *Christian Perfection* and his *Serious Call*: indeed the youth who should read them without being perilously affected, must have either a light mind, or an unusually strong one.”—The Life of Wesley, and the Rise and Progress of Methodism, by Robert Southey, esq.—1820, 2 vols. 8vo.

Speaking of that period of the reformation, which immediately followed its establishment by the first parliament of Elizabeth, he says,—“ The evil was, “ that, among the educated classes, too little care “ was taken to imbue them early with this better “ faith; and too little exertion used for awakening “ them from the pursuits and vanities of this world, “ to a salutary and hopeful contemplation of that, “ which is to come. And there was the heaviest “ evil, that the greater part of the nation were “ totally uneducated;—christians no farther than “ the mere ceremony of baptism could make them, “ —being for the most part in a state of heathen “ or worse than heathen ignorance. In truth, “ they had never been converted; for, at first, one “ idolatry had been substituted for another; in “ this, they had followed the fashion of their “ lords; and when the Romish idolatry was ex- “ pelled, the change on their part was still a matter “ of necessary submission;—they were left as ig- “ norant of real christianity as they were found. “ The world has never yet seen a nation of “ christians.

“ Three measures then were required for com-“ pleting the reformation in England: that the “ condition of the inferior clergy should be im-“ proved; that the number of religious instructors “ should be greatly increased; and that a system “ of parochial education should be established and “ vigilantly upheld. These measures could only “ be effected by the legislature. A fourth thing “ was needful,—that the clergy should be awakened

“ to an active discharge of their duty ; and this  
“ was not within the power of legislation. The  
“ former objects never for a moment occupied  
“ Wesley’s consideration. He began life with  
“ ascetic habits and opinions ; with a restless  
“ spirit, and a fiery heart. Ease and comfort were  
“ neither congenial to his disposition nor his prin-  
“ ciples : wealth was not necessary for his calling,  
“ and it was beneath his thoughts : he could com-  
“ mand not merely respectability without it, but  
“ importance. Nor was he long before he dis-  
“ covered what St. Francis and his followers and  
“ imitators had demonstrated long before, that  
“ they, who profess poverty for conscience-sake,  
“ and trust for daily bread to the religious sympa-  
“ thy which they excite, will find it as surely as  
“ Elijah in the wilderness, and without a miracle.  
“ As little did the subject of national education  
“ engage his mind : his aim was direct, immediate,  
“ palpable utility. Nor could he have effected  
“ any thing upon either of these great legislative  
“ points : the most urgent representations, the  
“ most convincing arguments, would have been  
“ disregarded in that age, for the time was not  
“ come. The great struggle between the destruc-  
“ tive and conservative principles,—between good  
“ and evil,—had not yet commenced ; and it was  
“ not then foreseen that the very foundations of  
“ civil society would be shaken, because govern-  
“ ments had neglected their most awful and most  
“ important duty. But the present consequences  
“ of this neglect were obvious and glaring ; the

“rudeness of the peasantry, the brutality of the town populace, the prevalence of drunkenness, “the growth of impiety, the general deadness to religion. These might be combated by individual exertions, and Wesley felt in himself the power and the will both in such plenitude, that they appeared to him a manifestation, not to be doubted, of the will of Heaven. Every trial tended to confirm him in this persuasion; and the effects which he produced, both upon body and mind, appeared equally to himself and to his followers miraculous. Diseases were arrested or subdued by the faith which he inspired,—madness was appeased, and, in the sound and sane, paroxysms were excited, which were new to pathology, and which he believed to be supernatural interpositions, vouchsafed in furtherance of his efforts by the spirit of God, or worked in opposition to them by the exasperated principle of evil. Drunkards were reclaimed, sinners were converted; the penitent who came in despair was sent away with the full assurance of joy; the dead sleep of indifference was broken; and often times his eloquence reached the hard brute heart, and opening it, like the rock of Horeb, made way for the living spring of piety which had been pent within. These effects he saw,—they were public and undeniable; and looking forward in exultant faith, he hoped that the leaven would not cease to work till it had leavened the whole mass; that the impulse which he had given would surely, though slowly, operate a national refor-

“ mation, and bring about, in fulness of time, the  
“ fulfilment of those prophecies which promise us,  
“ that the kingdom of our Father shall come, and  
“ His will be done in earth as it is in heaven.”

“ With all this, there was intermingled a large  
“ portion of enthusiasm, and no small one of su-  
“ perstition; much, that was erroneous, much, that  
“ was mischievous, much, that was dangerous. But,  
“ had he been less enthusiastic, of an humbler spirit,  
“ or a quieter heart, or a maturer judgment, he  
“ would never have commenced his undertaking.  
“ Sensible only of the good which he was pro-  
“ ducing, and which he saw produced, he went on  
“ courageously and indefatigably in his career.  
“ Whither it was to lead he knew not, nor what  
“ form and consistence the societies which he was  
“ collecting would assume; nor, where he was to  
“ find labourers, as he enlarged the field of his  
“ operations; nor how the scheme was to derive  
“ its temporal support. But these considerations  
“ neither troubled him, nor made him for a moment  
“ foreslack his course. God, he believed, had ap-  
“ pointed it, and God would always provide means  
“ for accomplishing his own ends.”

Such was John Wesley.—such were his endow-  
ments and his views:—the conversion of George  
Whitfield was of a prior date: he also had joined  
the Oxford methodists, and had prayed much:—still  
he wanted faith:—he thus speaks of himself:—  
“ And the faith, which I wanted, was a sure trust  
“ and confidence in God, that, through the merits  
“ of Christ, my sins were forgiven, and that I was

“ reconciled to God.—At the end of a sickness of  
“ seven weeks, after having undergone innumerable  
“ buffetings of Satan, and many months inexpress-  
“ sible trials, night and day, under the spirit of  
“ bondage, God was pleased at length to remove  
“ the heavy load,—the weight of sin went off, and  
“ an abiding sense of the pardoning love of God,  
“ and a full assurance of faith, broke in upon my  
“ disconsolate soul.—At first, my joys were like a  
“ spring-tide, and, as it were, overflowed the banks.  
“ Go where I would, I could not avoid singing  
“ psalms almost aloud ; afterwards, they became  
“ more settled, and, blessed be God ! saving a few  
“ casual intervals, have abode and increased in my  
“ soul ever since.

“ At length, on the 24th of May 1738, about  
“ a quarter before nine,—I felt my heart strangely  
“ warmed. I felt that I did trust in Christ,—in  
“ Christ alone,—for salvation ; and an assurance  
“ was given me, that Christ had taken away my  
“ sins, even *my* sins, and saved me from the law of  
“ sin and death.”

The leading article, the key of the religious system of both is the same. Mr. Southey\*, using their own language, announces it in the following terms,  
—“ Whosoever thou art, O man ! who hast the  
“ sentence of death on thyself, unto thee saith the  
“ Lord,—not,—‘ Do this,—perfectly obey all my  
“ commandments, and live,’—but,—‘ Believe in  
“ the Lord Jesus Christ, and thou shalt be  
“ saved.’”—Mr. Southey premises, that according

to the system of each,—“ this belief is the free  
“ gift of God ; no merit, no goodness in man,  
“ precedes the forgiving love of God.”

Most persons who have read these and other passages of a like nature in the writings of these fathers of the methodist church, standing as they often do, single and unexplained, will immediately conclude that they lead to a frightful conclusion ; as they appear to import, that a wicked man, if he believe what should be believed, becomes, though he continue in his sin, justified in the sight of God, and assured of his salvation.

But this, say the followers of Wesley, is a mistake, arising from a misapprehension of the true import of the word “ faith.”—In the sense in which it is used by Wesley, it does not signify an opinion, or a collection of opinions : “ it is a feeling of the soul, “ whereby, through the power of the Highest,— “ who overshadows him,—the person, who has this “ feeling, perceives the presence of Him, whom he “ loveth, in whom he lives, moves, and has his be- “ ing; and feels the love of God shed in his heart. “ —I feel by it,” he says \*, “ an inward impres- “ sion on my soul, whereby the Spirit of God, im- “ mediately and directly witnesseth to my spirit “ that I am a child of God ;—that Jesus Christ “ has loved me ; has given himself to me ; that all “ my sins are blotted out, and that I am reconciled “ to God.”—This feeling, or *experience* as it is termed by the methodists, is not, by their account, the result of reasoning ; it is the voice of the Spirit,

\* Sermon on “ The Witness of the Spirit.”

announcing its presence antecedently to any reasoning. They add, that none should presume to rest on this testimony of the Spirit, unless it is accompanied by charity, and its inseparable fruits, the love of God, and the love of our neighbour.

Now,—if we divest these doctrines of the methodists of the language of exaltation, in which they are generally expressed, is there not some ground to contend, that it is substantially the same; or nearly the same, as the doctrine received by all christians, that he who loves God, keeps his commandments; and that such a person has a good conscience, and therefore a consciousness of divine favour?—The misfortune seems to be, that the generality of the preachers of this school dwell comparatively so much on the feeling of divine favour; and so little on the works, which, as they acknowledge, must, if it be true, accompany it, as to make it thought, that this saving faith may subsist without them.—In justice, however, to the methodists, it is necessary to add, that this consequence exists among them in theory more than in practice; as, wherever methodism prevails, a general improvement of morals, a general increase and extension of industry, frugality, and other useful virtues and habits, ordinarily follow.

On the great points of grace and the atonement, the doctrines of Wesley and Whitfield were diametrically opposite.—Wesley held with Arminius, first, that God has not fixed the future fate of mankind by an absolute unconditional decree; but that he determined, from all eternity, to bestow salvation

on those, whom he foresaw would persevere to the end in their faith in Jesus Christ: and to inflict punishment on those, who should continue in their unbelief, and resist to the end his divine assistance: —2dly, that Jesus Christ by his death and sufferings made an atonement for the sins of all mankind in general, and of every individual in particular; but that those only, who believe in him, can be partakers of this divine benefit.

Whitfield held with Calvin,—1st, that God has chosen a certain number in Christ to everlasting glory, before the foundation of the world, according to his immutable purpose, and of his free grace and love, without any regard to the faith, good works, or any other conditions, to be performed by the creature; and that he was pleased to pass by the rest of mankind, and to ordain them to dishonour and wrath for their sins, to the praise of vindictive justice:—2dly, that Jesus Christ suffered and died for the elect only, and atoned only for their sins.

But however Wesley and Whitfield disagreed on the two important points which have been mentioned,—there was a perfect agreement between them on the two distinguishing principles of methodism: 1st, the salvation by faith in Jesus Christ, —2dly, a *perceptible*, and in some cases, an instantaneous conversion, with a feeling assurance of reconciliation to God.—This, they term the new birth.

A war of words took place between Wesley and Whitfield, on the points in difference between

them. They were afterwards reconciled. "I love  
" you and honour you," Whitfield says in a letter  
to Wesley; "and, when I come to judgment, will  
" thank you before men and angels for what you  
" have, under God, done for my soul. There,  
" I am persuaded, I shall see dear Mr. Wesley  
" convinced of election and everlasting love. And  
" it often fills me with pleasure to think, how I  
" shall behold you, casting your crown down at the  
" feet of the Lamb, and, as it were, filled with a  
" holy blushing, for opposing the divine sovereignty  
" in the manner you have done."

The eloquence of these extraordinary men was wonderful,—but rather equal than alike;—Whitfield was commanding,—Wesley was insinuating: Whitfield had little reading,—Wesley was both a gentleman and a scholar.

Psalmody was employed by each with great effect; but it was of the simplest kind:—it is one of Wesley's injunctions, that different words should never be sung at the same time by different persons; and that no syllable should have more than one note.

On different occasions, Wesley wrote against the catholics, and "one of his writings," says Mr. Southey, his biographer, "gave the catholics an advantage, because it defended the protestant association of 1780; and the events, which speedily followed, were turned against him. But, upon the great points in dispute, he was clear and cogent, and the temper of this, as of his other controversial tracts, was such, that, some years afterwards, when a common friend invited

“ him to meet his antagonist, father O’Leary, it  
“ was gratifying to both parties to meet upon  
“ terms of courtesy and mutual good will.”

## LXXIV. 2.

*Antinomianism.*

THE doctrines of Wesley are said to have a remote, those of Whitfield a much nearer tendency to antinomianism\*. The English antinomians are descendants of a certain sect of presbyterians, who arose in the civil war. They maintain, as principles, certain consequences which they draw from the doctrines of Calvin, but which he himself rejected, and which the rational part of his followers equally reject.—According to the antinomians,—as those, whom God has elected to salvation, will, by the irresistible impulse of divine grace, be led to piety and virtue, it necessarily follows that instruction, admonition, and exhortation, are, in their regard, absolutely unnecessary.

Some carry this doctrine to a more frightful length,—they maintain that, as the elect cannot forfeit the divine favour, their violations of the divine law will not be charged upon them, and they need not, therefore, repent of them.

Some even maintain, that the violations, however enormous, by the elect, of the divine law, are not sins, in the sight of God; because it is one of the

\* See Toland’s Letter to Le Clerc, in the *Bibliothèque Universelle et Critique*, tome xxxiii. p. 505. Mosheim. *Ecc. Hist.* cent. xvii. sec. 2. p. 2.

essential and distinctive characters of the elect, that they cannot do any thing, which is either displeasing to God, or prohibited by his law. Against the antinomians, Wesley uniformly preached and acted: his successor, Mr. Fletcher of Madeley\*, was their ablest opponent.—It must be added, that the calvinists themselves deny, that any of these antinomian tenets are justly inferrible from their doctrines.

The tendency, however remote, of his avowed doctrines, to antinomianism, did not escape Wesley's own observation. Mr. Southey† cites from his works, this remarkable passage: “The true gospel “ touches on the very edge both of calvinism and “ antinomianism, so that nothing but the mighty “ power of God can prevent our sliding into one or “ the other.”

#### LXXIV. 3.

##### *The Moravians.*

To this denomination of christians, Wesley once had nearly aggregated himself; he afterwards declared against them, and finally separated himself and his disciples formally from them: at that time a degree of fanaticism, which does not now belong to them, was justly imputed to them.

The following is a succinct outline of their history and tenets.

In 1570, a congress of Bohemian, Polish, and Switzer protestants, some of whom were lutherans, some calvinists, and some socinians, was held at

\* In his *Four Checks to Antinomianism.*

† *Life of Wesley*, vol. ii. p. 189.

Sendomir\*. They agreed on a formulary called "The Consent of Sendomir." But the agreement was of short duration; for almost immediately after it was signed, the majority of the Bohemians entered into communion with the Helvetic churches. In 1620, a general union of all the Bohemian churches was effected at Astrog, under the name of *The Church of the United Brethren*.

The original settlement of these churches was in Bohemia and Moravia. Persecution scattered the members of them: a considerable number of the fugitives settled at Herrnhut, a village in Lusatia. There, under the protection and guidance of count Zinzendorf, they formed themselves into a new community, which was designed to comprehend their actual and future congregations, under the title of "The Protestant Church of the *Unitas Fratrum*, " or *United Brethren of the Confession of Augsburg*." That Confession is their only symbolic book; but they profess great esteem for the eighteen first chapters of the synodical document of the church of Berne in 1532, as a declaration of true christian doctrine. They also respect the writings of count Zinzendorf, but do not consider themselves bound by any opinion, sentiment, or expression, which these contain. It is acknowledged, that, towards the middle of the last century, they used in their devotional exercises, particularly in their

\* This document, and a curious account of the congress at which it was framed, was published by Jablonski, at Berlin, in 1731, in one vol. 4to. with the title *Historia Consensus Sendomirensis*.

hymns, many expressions justly censurable: but these have been corrected. They consider lutherans and calvinists to be their brethren in faith, as according with them in the essential articles of religion; and therefore, when any of their members reside at a distance from a congregation of the united brethren, they not only attend a lutheran or calvinist church, but receive the sacrament from its ministers, without scruple. In this, they profess to act in conformity to the convention at Sendomir.

The union, which prevails both among the congregations, and the individuals which compose them, their modest and humble carriage, their moderation in lucrative pursuits, the simplicity of their manners, their laborious industry, their frugal habits, their ardent but mild piety, and their regular discharge of all their spiritual observances, are universally acknowledged and admired. Their charities are boundless, their kindness to their poor brethren is most edifying: there is not among them a beggar. The care which they bestow on the education of their children, in forming their minds, chastening their hearts, and curbing their imaginations,—particularly in those years,

“ — When youth, elate and gay,

“ Steps into life, and follows, unrestrained,

“ Where passion leads, or reason points the way;”—

LOWTH;

are universally acknowledged, universally admired, and deserve universal imitation.

But, it is principally by the extent and success of their missionary labours that they now engage the

attention of the public. These began in 1732. In 1812, they had thirty-three settlements in heathen nations—one hundred and thirty-seven missionaries were employed in them: they had baptized twenty-seven thousand four hundred converts: and such had been their care in admitting them to that sacred rite, and such their assiduity in cultivating a spirit of religion among them, that scarcely an individual had been known to relapse into paganism. All travellers who have visited their settlements, speak with wonder and praise of the humility, the patient endurance of privation and hardship, the affectionate zeal, the mild and persevering exertions of the missionaries; and the innocence, industry, and piety of the converts:—the European, the American, the African, and the Asiatic traveller, speak of them in the same terms: and, that they speak without exaggeration, the conduct both of the pastor and the flock, in the different settlements of the united brethren in England, uncontestedly proves. Whatever he may think of their religious tenets, *Talis cum sis, utinam noster* *esses*, must be the exclamation of every christian, who considers their lives\*.

\* Those who desire further knowledge of this amiable and worthy denomination of christians, will find it in *David Crantz's Ancient and Modern History of the Brethren*, printed at Barby, 1771, and the two *Continuations of it*, Barby, 1791, and 1804. The History has been translated into English, and is become exceedingly scarce: the Continuations have not been translated. Mr. La Trobe, the pastor of the united brethren in London, has published a *Concise Historical Account of the Protestant Church of the United Brethren adhering to the Confession of Augsburg*.

## LXXIV. 4.

*The Difference between the Roman-catholic Church and the Lutherans and Methodists, on the subject of Justification.*

WITH a short statement of this difference, we shall close this chapter.

“The justification of the sinner,” to use Luther’s own language, “was the principle and source “from which all his doctrine flowed.” So great, in his opinion, was the importance of this article of christian faith, that he thought himself warranted in asserting, that, “while the doctrine upon it was “pure, there would be no reason to fear either “schism or division; but that, if the true doctrine “of justification were altered, it would be impossible to oppose error, or to stop the progress of “fanaticism\*.” It is far from the object of these pages to enter into any thing like controversial discussion; but the writer thinks his readers will not be displeased to find in this place, an accurate statement of the doctrines of the roman-catholic and lutheran churches upon this important tenet of their respective creeds. It is expressed with extreme accuracy, in the Letters of father Scheffmacker, a work highly celebrated on the continent†. The

\* Luth. Op. ed. Jenæ, 1561, tom. vi. p. 13. Ibid. tom. iii. p. 189.

† Lettres d’un Docteur Catholique à un Protestant, sur les principaux Points de Controverse. Rouen, 1769. Deuxième lettre, sur la justification.

writer of these letters begins that, which relates to the point in question, by observing to his lutheran correspondent, " if there be a point, on which " persons have disputed with warmth, and without " sufficiently understanding one another, on either " side, it must be acknowledged, that the question " on the justification of a sinner, is a point of that " description.

" You teach," he proceeds to observe, " that the " sinner is solely justified by faith ; that, after hav- " ing offended God, and lost his grace, we obtain " the remission of our sins, and are restored to the " friendship of God, by means only of an act of " faith :—every other act of virtue, as acts of con- " trition, good resolution, hope, charity, &c. having, " as you pretend, no part in the sinner's justifica- " tion.

" Now, to form a just idea of the faith, which " you maintain to be the only means of reconciling " us with God, it is to be remarked, that it is not " the faith, which is understood by that word, in " its common acceptation ; that is to say, a gene- " ral faith, by which we believe all that God has " revealed to us. You require, that it should be a " special faith, on the merits of Christ ; and this " faith, as your doctors explain it, contains first, an " act of the understanding, by which we acknow- " ledge that Jesus Christ has died for us ; that " he has fully satisfied for our sins ; and that he " presents to us his merits, his satisfaction, and his " remission of our sins : and secondly, an act of the " will, by which we accept all this, in applying and

“ appropriating to ourselves what is offered to us,  
“ by Jesus Christ,—I mean his merits and the re-  
“ mission of our sins.

“ It is, however, necessary, that we do you the  
“ justice to acknowledge, that you require justify-  
“ ing faith to be fruitful in good works; for you de-  
“clare explicitly, that if faith be not accompanied  
“ by good works, it is not a true faith; that we  
“ must be careful to avoid imagining, that justify-  
“ ing faith can subsist with a wish to persist in sin;  
“ that those, who have not contrition, and are re-  
“ solved to continue to live in their disorders, have  
“ not the faith which justifies and saves them.  
“ Luther's expression is, 'faith and good works are  
“ inseparably connected; it is faith only which  
“ justifies, but justifying faith is never single, and  
“ without good works.'

“ We believe,—First, that faith, taken in the  
“ ordinary sense of that word, that is, for the vir-  
“ tue which makes us believe revealed truths, is  
“ absolutely necessary for the justification of the  
“ sinner. We are fully persuaded that no works  
“ done before faith, or without faith, by the mere  
“ strength of free-will, or human reason, can have  
“ any part in the justification of the sinner.

“ Secondly,—We believe, that faith alone does  
“ not suffice to justify the sinner; that, in addition  
“ to it, there must be a sincere sorrow for sin, a  
“ firm resolution not to relapse into it, a salutary  
“ fear of the judgments of God, with a true confi-  
“ dence in the merits of Jesus Christ, and in the  
“ Divine mercy.

“ Thirdly,—We believe, that though the sinner  
“ may obtain the grace of justification, in bringing  
“ the dispositions which I have mentioned, still he  
“ cannot merit them ; so that he is justified, gra-  
“ tuitously, by the pure mercy of God, and solely,  
“ in the view of the merits of Jesus Christ. I ex-  
“ plain myself :—the sinner, after he has lost the  
“ grace of God, can do nothing, which is sufficiently  
“ agreeable to God, to entitle him to be restored to  
“ his friendship. All the good works which he  
“ does, in such a state, are dead ; and of too little  
“ value to exact from the Divine Justice that the  
“ grace of reconciliation should be restored to him  
“ as the fruit of his works. When God justifies  
“ us by restoring his friendship to us, it is not in  
“ consequence of the goodness of our works ; it is  
“ solely in consequence of the infinite price of the  
“ passion and death of Jesus Christ ; it is gratuit-  
“ ously ; it is from the pure effect of his mercy,  
“ that he applies to us the fruit of the merits and  
“ the infinite satisfaction of his Son. It is true, that  
“ God requires certain works, without which he  
“ does not justify the sinner ; and in consequence  
“ of which, he does justify him : but he does not  
“ require them as meritorious works ; he requires  
“ them as conditions, or as necessary dispositions,  
“ without which, he does not receive the sinner  
“ into favour, or admit him to participate in the  
“ merits of Jesus Christ, as to their effects in the  
“ remission of sins. According to the doctrine of  
“ the council of Trent\*, nothing that precedes

\* Sess. vi. c. 8.

“ justification, either of faith or works, can merit  
“ the grace of justification.

“ Fourthly,—We believe, that though the sinner  
“ can only owe his justification to the merits of  
“ Jesus Christ, yet the merits of Jesus Christ are  
“ not the formal justice of the person justified:—  
“ he is not just of the justice of Jesus Christ; that  
“ is extrinsic to him. He is just, by an inherent  
“ justice,—a justice which, at the same time, is the  
“ justice of God, and the justice of man;—the  
“ justice of man, because, having obtained it of  
“ the Divine liberality, it is within him, and not out  
“ of him;—the justice of God, because it comes  
“ from God alone; he alone gives it to the sinner,  
“ by a pure effect of his mercy, gratuitously, and  
“ only in view of the merits of Jesus Christ, the  
“ sinner being altogether unable, on his part, to  
“ merit the justice by any imaginable work, what-  
“ ever it may be.”

We leave the reader to his own reflections: if he be a roman-catholic, he must concede to the protestant, that he believes no sinner to be justified without good works; if he be a protestant, he must concede to the catholic, that he believes no good works of the sinner entitle him to justification; and whether he be a roman-catholic or a protestant, he must concede, that both equally believe, that, where either faith or good works are wanting, the sinner will not be justified,—and that when he is justified, his justification is not owing either to his faith or his good works, or to both: for though both

abound, still would not the sinner be justified, if it were not for the infinite mercy of God, and the infinite merits and satisfaction of his Son\*.

## C H A P. LXXV.

## SUPPRESSION OF THE JESUITS.

IN the history of the society of Jesus, all English catholics haye an interest: invaluable and numerous are the services which the English members of it have rendered them, by their colleges, their missionary labours, their excellent writings, and their exemplary lives.

The rise and first progress of the society have been noticed:—we shall now briefly mention, I. Its progressive extension: II. The mode of instruction and education used by the members of the society: III. Their missions in Paraguay: IV. Their mission in China: V. Their antichristian and anticatholic adversaries: VI. Their catholic adversaries: VII. Their alleged advocation of the pope's divine right to temporal power in spiritual concerns: VIII. Their alleged exemption from the civil power, in consequence of papal bulls and briefs: IX. The dissolution of the society: X. And their restoration.

\* The author of the Letters, to which the writer has referred in this article, was father Scheffmacker, a jesuit, at Strasburgh. The reader of them, whatever be his creed, will be delighted with their truly christian politeness, their elegance, and their perspicuity.

## LXXV. 1.

*The progressive Extension of the Order.*

ST. IGNATIUS survived the approbation of his institute no longer than sixteen years: but, during this short period, St. François Xavier, and his companions, had converted thirty nations to the faith of Christ, and baptised, with their own hands, a million of idolaters: above one hundred schools, under the direction of the jesuits, had been founded in Italy, in Germany, in Portugal, and Spain; and incessant applications were received for others. The whole catholic world was delighted with the good that was done, and the good that was promised: "Let us not despair," said cardinal Commodo, one of the brightest ornaments of the sixteenth century, on his return from his German legation,—" all difficulties that impede the progress of religion and virtue, may be overcome by the means of the fathers of the society of Jesus. This is the opinion of his imperial majesty, of the princes, and even of the people of Germany. What these fathers have already done, shows what may be expected from their zeal. Their exemplary lives, their sermons, their colleges, have supported and will ever support religion. Multiply then the jesuits, multiply their colleges and their academies; you will find that the fruits, which religion will gather from them, will exceed your expectations." The advice was universally accepted; the church and state of every

catholic nation called for the jesuits. In 1537, when St. Ignatius presented himself and his companions to the pope, their number did not exceed six ; at the expiration of the first century of the order, it reached nineteen thousand.

## LXXV. 2.

*Their Mode of Instruction and Education.*

Of Socrates, it was said, that he brought down philosophy from the heavens to common life : of the jesuits, it may be truly said, that, in imitation of their divine model, they made the knowledge of religion and the practice of it familiar to every rank and order of society. They spread themselves over towns and over villages, to teach the catechism to children, in their very earliest days ; to afford them more solid instruction, as their years increased ; and to prepare them, at a more advanced age, for the sacrament of the holy table. To excite them to devotion, and to confirm them in their good resolutions, they established certain devotional practices, which impressed them with religious feelings ; and formed religious associations, which, by uniting several in the observance of the same pious exercises, excited emulation, restrained the wandering, animated the tepid, and inflamed the fervent.

Their schools were equally open to the noble and the ignoble, to the wealthy and the poor. All were subject to the same discipline ; rose at the same early hour, were fed by the same plain diet,—received the same instruction, might attain the same

rewards, and were subject to the same punishments. Surveying the school, the refectory, or the play-garden of a Loyolan college, no person could distinguish a boy of sixteen quarters from a peasant's son. At the college de Clermont, the grand Condé said his lesson and did every other exercise, in the ranks, as a common boy.—His impetuous mind, which, at a future time, disdained and burst through every restraint, showed all its fire, but burned with regulated heat, while he remained within the walls of Clermont. It may be added, that, through life he preserved his affection for the society, and that, in his last very edifying hours, he was attended by one of its fathers.

It is admitted, that the jesuits were singularly pleasing to their scholars. "Their polite manners," says M. de Chateaubriand, "banished from their "lessons the tone of pedantry, so displeasing to "youth. As most of the professors were men of "letters, whose company was sought by the world "at large, their disciples thought themselves in a "polite academy; friendships were formed between "them and their masters, which ever afterwards "subsisted for their mutual good."

No attachment could exceed that of a boy brought up under them, to his master. "I myself," says "one of the authors of the *Réponse aux Assertions*, speaking of their final banishment from France, "was present at the moment of the separation of "the scholars from their masters in the college de "Louis le Grand. Stupified with grief, they tore "themselves, either in silent sorrow, or with tears

“ and sobs, from the embraces of their masters.  
“ Our enemies know that I exaggerate nothing.  
“ They themselves beheld it, and it increased their  
“ irritations : they comforted themselves by hoping  
“ that, in time, the impression would die away.”

But the zeal of the jesuits was not confined to the catechism or the college. The pulpits resounded with their predication; confessionalists abounded with their penitents; the sacred tables with their disciples, and repentance and resignation flocked with them, at all hours, into hospitals and prisons. They had their ascetics and their contemplatives; but the devotion of common life,—that devotion, in describing and inculcating which, in his “ Introduction to a Devout Life,” St. Francis of Sales was so eminently successful,—the jesuits had a particular talent in disseminating. The most useful of all pious practices, but, till then, too much confined to the cloister, pious meditations on the life of Christ, on the four last things, and the motives of loving or fearing God, they adapted to the most ordinary capacities. The exercises of St. Ignatius, a course of meditations composed by him for the general use of the faithful, are equally suited to the highest and the meanest capacities; no one has yet read them without fruit.

“ Simple and easy exercises of piety,” says the cardinal de Bausset, “ familiar instructions, proportioned to every condition, and nowise interfering with the labours or duties of society, served to uphold, in every state of life, that regularity of manners, that spirit of order and subordination,

“ and that wise economy, which preserve peace  
“ and harmony in families, and assüre the pros-  
“ perity of empires. The principal towns of France  
“ still remember, that there never was more order  
“ and tranquillity, more probity in dealings, fewer  
“ failures, or less depravity, than while these con-  
“ gregations lasted. . . . The jesuits had the merit of  
“ attracting honour to their religious and moral  
“ character, by a severity, a temperance, a nobleness  
“ of manners, and an individual disinterestedness,  
“ which even their enemies could not deny.” These  
expressions of the cardinal are particularly remark-  
able, as they were written more than thirty years  
after the destruction of the order; and many years  
before the slightest expectation of its renovation  
was entertained.

Learning has not been more ably cultivated or  
more actively diffused than by the jesuits. They  
possessed, in the supreme degree, the art of un-  
folding talent, and directing it to the object, in  
which nature designed its owner to excel. Did a  
young jesuit possess a talent for the pulpit—his  
masters were sure to discover it, and he became a  
Bourdaloue, a la Rue, a Segaud, a Neuville, or a  
Beauregard. Did he discover a turn for serious  
studies, for literary discussion, for philosophy, for  
mathematics, for theology, for profound research—  
to these he was directed; and became a Petau, a  
Sirmond, a Cossart, a Bougeant, a Tournemine, a  
Rossweide, or a Papebroch. Was he enamoured  
with classical lore, or with poetry—he was con-  
signed to the muses, and became a Brumoi, a

Cerçeau, a Bouhours, a Rapin, a Commire, a Casimir, a Vanier, a Juvençι, or a Berthier ; and the fruits of his pen, always elegant, but always chaste and always moral, found their way into the hands of every man of taste and letters.

But they had no philosophers ! So said d'Alembert, and so said la Châlotais. "When I read this assertion," says la Lande, the celebrated astronomer, "I was employed in framing the index to my History of Astronomy. I immediately drew up a list of jesuits eminent in that science ; I was astonished at their number. Afterwards, in 1773, "I met la Châlotais at Saintes ; I reproached him with his injustice, and he admitted it. But the jesuits were then no more ! Two men, Cavalho and Choiseul, had destroyed the most beautiful edifice constructed by man ! An edifice, to which no establishment under heaven will ever approach ! The eternal object of my admiration, my gratitude, and my regrets." Such is the candid language of la Lande.—"Men of learning!" a true and impartial friend of the jesuits\*, once exclaimed, "whatever be your pursuits, your country, or your creed, ask your own hearts if you have not some obligation to the jesuits ? Have they not opened to you some door to knowledge ? Some to science ? Some to taste ? Have they not abridged to you some literary labour ? Soothed to you some scientific toil ?—Men of learning !—

\* The writer of a Letter signed *S.* in the Catholic Gentleman's Magazine of August 1818.

“ wherever you are,—love the jesuits ;—to all of you they have been friends.”

It should be remarked, that the system of educating children, in graduated bands, taught and inspected by one of themselves, for which Lancaster and Bell enjoy so much rival fame, was in universal use among the jesuits before the seventeenth century. Nor should it be forgotten, that they had preceded this country, in noble efforts for the abolition of the slave trade. No friend to that measure can read the twenty-third chapter of Mr. Southey’s *History of Brazil*, without venerating the exertions of father Lorenzana in this glorious cause.

### LXXV. 3.

#### *Their Missions in Paraguay.*

BUT, to appreciate justly the merits of the jesuits, we must traverse the ocean, and contemplate the jesuit missioner with his breviary under his arm, his beads fastened to his girdle, and his crucifix in his hand, presenting himself to the barbarous, suspicious, and cruel inhabitants of the Indian woods or morasses. Sometimes, he is immediately massacred\* ; sometimes, the savages fly from him :—he

\* From two works of character,—*Societas Jesu, usque ad sanguinem et vite profusionem militans, pro Deo, fide, ecclesiâ, pietate* :—*sive vita et mors eorum, qui ex societate Jesu, in causâ fidei et virtutis propagatae, violentâ morte sublati sunt*: auctore, R. P. Matthiâ Tanner, e soc. Jesu, s. s. theologiæ doctore, Pragæ, 1675: and *Fasti Societatis Jesu; opera et studio, R. P. Joan. Drewe, s. s. Pragæ, anno 1750*;—it ap-

runs after them, and, by words or signs, points at the heavens, and announces to them his wish to render them worthy of being the inhabitants of that better world. He shows them his crucifix ; he informs them that the Son of God, whose image they behold on it, died on the cross for them, to free them from darkness, and to obtain for them everlasting life. He makes them little presents, or sings to them a pious canticle: by degrees, he obtains their affection and confidence. Then, he propounds to them the saving truths of the gospel; these penetrate their hearts.—Finally, like the eunuch, in the Acts of the Apostles, they pray for the sacred water of regeneration: one after another they flock to the sacred fount; by degrees, the whole community becomes christian. Their rudeness, savageness, barbarism, and immorality disappear; they become mild, benevolent, humane, and holy. Other communities join them.

Thus were 300,000 Indian savages, collected in Paraguay, reclaimed from barbarism and vice, and exhibited, in the simplicity of their manners, and the purity of their minds, the mild and unpretending virtues of the primitive christians. To the happiness and piety of this fortunate portion of humanity, several writers of the first eminence, a

pears that,—in Africa 68,—in Asia 131,—and in America 55 jesuits, had, before that time, suffered death, often after grievous torments,—for propagating the faith of Christ.—The number of those who have since suffered death in the same cause, cannot be inconsiderable.—See also Montesquieu, *Esprit des Loix*, livre iv. c. 6.

Muratori, Montesquieu, Raynal, and Leibniz, bear ample testimony.—Mr. Southey, the poet laureat, though generally hostile, in his writings, to the catholic religion and to catholic institutions of every kind, observes, that “the Indians could not conceive ‘template without astonishment the conduct of the jesuits; their disinterested enthusiasm, their indefatigable perseverance, and the privation and danger which they endured for no earthly reward. They, who had only heard of these wonderful men, became curious of seeing them; but they, who once came within the influence of such superior minds, and felt the contagion of example, were not long before they submitted to the painful sacrifice of their old superstitions\*.” In a subsequent part of the same work, Mr. Southey notices the pomp, with which the secular year of the foundation of the society of Jesus was solemnized in South America. “At one place,” we are told by him, “six hundred triumphal arches were erected by the Indians, and decorated with all the ornaments and good things which they possessed: a display of the benefits which they, above all men, derivèd from the society: the centenary of their institution could not be celebrated by these tribes with more gratitude and joy than were justly due†.”

\* History of Brazil, vol. ii. p. 299, 300.

† Ibid. p. 331, 332.

## LXXV. 4.

*Their Missions in China.*

IN China their religious labours were equally successful. In 1552, St. Francis Xavier reached Macao. In 1715, the number of the christians in China amounted to 300,000, and they possessed 300 churches. In their propagation of the gospel in China, the jesuits showed great good sense. They did every thing to conciliate public and individual favour ; they carefully abstained from every thing that had a tendency to draw on them public or individual dislike ; and, so far as it could be done without trenching on the essentials of religion, they accommodated their instructions to the opinions and feelings of the country. In some instances, they were supposed to carry this spirit of accommodation too far, and by a papal bull, they were obliged to retrace some steps of their conciliating advances. Their readiness to comply with the bull did them honour.

Between the years 1581 and 1681,—one hundred and twenty-six European jesuits were employed in the missions in China. “ It must,” says sir George Staunton\*, “ appear a singular spectacle “ to every class of beholders, to see men, actuated “ by motives, different from those of most human “ actions, quitting for ever their country and their “ connections, to devote themselves for life, for the “ purpose of changing the tenets of a people they

\* Embassy to China, vol. ii. p. 159.

“ had never seen ; and, in pursuing that object, to  
“ run every risk, suffer every persecution, and sa-  
“ crifice every comfort; insinuating themselves,—  
“ by address, by talent, by perseverance, by humili-  
“ lity, by application to studies, foreign from their  
“ original education, or by the cultivation of arts,  
“ to which they had not been bred,—into notice  
“ and protection ;—overcoming the prejudice of  
“ being strangers in a country, where most strangers  
“ were prohibited, and where it was a crime to have  
“ abandoned the tombs of their ancestors; and  
“ gaining, at length, establishments necessary for  
“ the propagation of the faith, without turning  
“ their influence to any personal advantage. Every  
“ European,” sir George adds from his own expe-  
rience, “ was greeted by them as countrymen,  
“ entitled to regard and service.”

All the information, which the missionaries could acquire of the learning, the arts, and the sciences of China, they transmitted to Europe. It is principally to be found in their “ *Lettres Edifiantes et Curieuses*,” of which Fontenelle said, that “ he had never read a work which answered better to its title.” To the general accuracy of these letters, and of the works of father du Halde and father Gaubil, the interesting account published by sir George Staunton of his embassy to China bears testimony ; and the writer of these pages has often heard him speak of them, in terms of high commendation. La Croze\* mentions with praise the

\* *Histoire du Christianisme de l'Ethiopie et de l'Arménie*,  
p. 269, 402.

account given of Armenia, in the third volume of their "Nouveaux Mémoires des Missions du Levant;" and, as Mr. Gibbon justly observes\*, the work of a jesuit must have sterling merit when it is praised by la Croze.—Such was the conduct of the jesuits in China.—May it not be confidently asked, whether history records an instance, in which science has been made more subservient to the faith of Christ?

## LXXV. 5.

*Their Antichristian and Anticatholic Adversaries.*

SUCH have been the services rendered by the jesuits to religion, to letters, to civilized and uncivilized society. With such titles to gratitude, is it not surprising that they should have had so many enemies? But,—such has been the general fate of benefactors to humanity!—how few of these have closed their labours, without

“ \_\_\_\_\_ a sigh, to find  
“ Th’ unwilling gratitude of low mankind!”

Pope.

Among the enemies of the jesuits, several are found, whose hostility must be thought, by all christians, to reflect honour on the society. When we open the correspondence of Voltaire and his intimates, and observe their furious and determined hatred of christianity, and their schémes and efforts for its destruction, and find at the same time their avowed enmity to the jesuits, as their most formidable opponents, surely all, who invoke the name

\* Chap. xlvi. note 148.

of Christ, must think with respect and gratitude of the jésuits, as the ablest defenders, in the opinion of its bitterest enemies, of their common christianity? By the same principle, when a catholic finds the polemic hatred, which the early disciples of Luther and Calvin discovered, in all their writings, against the jesuits, it should elevate them in his opinion, as the hatred evidently proceeded from its being felt by the lutherans and calvinists, that the jesuits were, in their time, the most powerful champions of the catholic faith.

Great, however, is the force of truth! When antichristian and anticatholic feelings have not guided their judgments, the atheist, the deist, and the protestant, has equally done justice to the jesuits. Ardent for their expulsion from every other kingdom, Frederic of Prussia prudently preserved them in his own, and heartily laughed at the vagaries of the philosophers, who solicited their banishment. "I cannot," says lord Bacon, "contemplate the application and the talent of these preceptors, in cultivating the intellects, and forming the manners of youth, without bringing to my mind the expression of Agesilaus to Pharnabazus;—' Being such as you are, is it possible that you should not belong to us.'"—"I am persuaded," said Leibnitz, the most universal scholar, and one of the most profound mathematicians and metaphysicians of his age, "that the jesuits are often calumniated, and that opinions, which have never come into their minds, have often been imputed to them." The count de Merode, having informed Leibnitz that he

had purchased the *Acta Sanctorum of the Flemish Jesuits*, now filling eighty volumes folio, and still unfinished, Leibnitz pronounced a panegyric on the work, and declared that, “ if the jesuits had published no other, that work alone entitled them to existence, and to be sought for and esteemed by the whole world.”—We have already cited one passage from la Lande, the celebrated but infidel astronomer. In another, after mentioning several ridiculous charges which had been made against himself, he speaks of the jesuits as follows: “ Among other crimes imputed to me, it is asserted, that in my travels, I served the mass of a jesuit. All this is too idle to answer; but I must freely own to you, that the name of jesuit interests my heart, my mind, and my gratitude; and revives my regret for the blindness of the persons in power, in 1762.—No! the human species has lost for ever, and it never will regain, that precious and wonderful re-union of twenty thousand men, unceasingly and disinterestedly occupied in instructing, preaching, missions, reconciliations, attending the dying, and other exertions of the tenderest and dearest functions of humanity. Retirement, frugality, renunciation of pleasure, made this society a surprising assemblage of science and virtue. I have been a near observer of them; they were a people of heroes in the cause of religion and humanity; religion furnished them with means which philosophy does not supply. In my fourteenth year, I admired them: I asked to be admitted among them: I regret

“ that I did not persist in my vocation ; innocence  
“ and the love of study inspired me with it.”

## LXXV. 6.

*Their Catholic Adversaries.*

SUCH were the antichristian and anticatholic adversaries of the jesuits : some adversaries, however, and these as terrible as any, they had, within the catholic pale. But this leads to a variety of subjects. All the accusations which these urged against them, may be found in the “ Histoire générale des Jésuites ” of la Coudrette,—the “ Provincial Letters,”—the “ Rapports of Montclar, and la Châlotais,”—the “ Morale Pratique des Jésuites,” and the “ Extraits des Assertions dangereuses et pernicieuses en tout genre, que les soi-disant jésuites ” ont, dans tous les tems, et persévéramment, soutenus, enseignés, et publiées dans leur livres, avec “ approbation des superieurs et généraux.” On each of these works, we shall trouble our readers with a single observation. Those who wish to see fuller answers to the charges brought against the jesuits, should peruse the “ Apologie de l’Institut ” des Jésuites.

1. With respect to *la Coudrette* ;—that he was a party man cannot be denied. Like those of all party writers, his works should, therefore, be read with some distrust ; and nothing resting on his single assertion, should be admitted, without some hesitation.

2. With respect to the *Provincial Letters*;—few have read or meditated upon them, with more attention than the writer of these lines; but he has also read and meditated upon the answer to them of father Daniel, in his “ Dialogues de Cléandre “ et d’Eudoxe;” and, previously to his perusing either, he placed himself in that perfect state of doubt and impartiality, which Descartes requires from a disciple, who enters on *his* meditations. The result was, that father Daniel appeared to him so often victorious in the combat, as to leave little that could be justly charged on the individual members, and nothing that could be charged on the body of the society. If any of his readers have proceeded in the same manner, and arrived at a different conclusion, far be it from the writer of these lines to question his sincerity: but he claims an equal allowance of sincerity for himself, and for all,—(they are both respectable and numerous),—who agree with him in opinion, that the author of the *Provincial Letters* is as often inaccurate and unfair, as he is witty or eloquent. “ The whole of these letters” says M. de Voltaire, “ is built upon a false foundation, as the extravagant notions of a few Spanish and Flemish jesuits, are artfully ascribed in them to the whole body.” This, to every one who peruses father Daniel’s answers, must appear evident. A better answer to them, however, is supplied by the sermons of father Bourdaloue. To the whole of his doctrine every jesuit subscribes; from the whole of the

doctrine imputed to them by Pascal; every jesuit dissents:—which should be thought the doctrine of the order?

We must add the testimony of Fénelon.—“ As to the Provincial Letters of Pascal;”—thus the archbishop writes to the duke de Beavilliers, “ I think the duke of Burgundy should read them: in fact, sooner or later, he will read them. His curiosity, his taste for entertaining books, and the great reputation of the Letters, will not suffer him to remain long in ignorance of them. But I wish all possible precautions should be taken, that he should know what measure of truth they contain, and not be seduced by the appearance of truth which they wear. Part of the memorial, which I send you, furnishes an antidote against the two first letters of Pascal. It is more than sufficient to show the hidden poison of the Letters, and to prove that in her censures of jansenism, the church does not combat a phantom.”

3. With respect to the *Morale Pratique*, the *Rapports*, and the *Extraits des Assertions*:—May the writer be permitted to observe, that no one should form any conclusion from these, if he has not read the *Réponse aux Assertions*\*. In this work, the jesuits charge the author of the Assertions, with seven hundred and fifty-eight falsifications and alterations of the text cited by him. They produce from the text, every passage pronounced by them to be falsified or altered, and confront it with the corresponding passage in the work of their adversary.

\* Published in 1763, in 3 large 4to. volumes.

Now, both in courts of law and out of them, it is a received axiom, that a person who denies a charge, is to be reputed innocent of it, until it is proved on him by proper evidence. Surely, therefore, none, who have not examined a large proportion, at least, of these passages, and found them misrepresented by the jesuits, should pronounce them guilty of the doctrines imputed to them, by the author of the *Assertions*. It cannot be expected of many, that they should read the three ponderous volumes, to which the writer has referred ; if, however, any person should be disposed to give a serious consideration to the subject, he should, at least, read the pages, not very numerous, that compose the *Examen du Procès Verbal*, which concludes the work. Greatly surprised indeed will the writer of these lines be, if a single person, who reads them, should not concur with him in thinking that the persons, who drew up the *Procès Verbal*, possessed no ordinary share of intrepidity.

## LXXV. 7.

*Their alleged Advocation of the Pope's Divine Right to Temporal Power in Spiritual Concerns.*

ONE further charge against the jesuits, requires notice.—It is objected to them, that the president de Thou discovers, in many parts of his History, a spirit of hostility towards them.—But this does not prejudice them in the opinion of any person acquainted with the history of France during that period. While the president was employed on his

immortal work, France was just delivered from the horrors of the league, and a numerous and powerful party, fomented within the kingdom, by Philip the second, still abetted its views. In the prosecution of them, the leaguers had availed themselves, and their remaining partisans still continued to avail themselves, of the ultramontane doctrines on the pope's deposing power. To these, the regular clergy were supposed to be particularly favourable; now, among the regulars, the talents, activity, and popularity of the jesuits, had elevated them, both in merit and in public opinion, to a considerable eminence. This exposed them to the president's severities, from which the obscurer destinies of the others protected them. But it has been proved to demonstration, that their conduct was more moderate than that of any other religious body engaged in the league.—It is evident that they were soon taken into favour by Henry the fourth, and that he warmly protected them: but it is not so generally known, that the chancellor l'Hôpital \*, whose mind was as loyal, whose principles were as friendly to civil and religious liberty as those of de Thou, and whose talents for business were greatly superior, was favourable to the jesuits, and a decided encourager of their schools.

This leads us to consider the general charge of ultramontane doctrine respecting the temporal power of the pope in spiritual concerns, which has been often brought against the sons of Loyola.

\* See the Life of the Chancellor l'Hôpital, by the writer of these pages.

Upon this charge, we beg leave to present our readers with the following short exculpatory observations.

1. It is certain that the belief of the pope's right to direct supreme temporal power was once prevalent in every state, and among every description of men in christendom. This opinion the jesuits did not introduce ; they found it fully established ; it would therefore be monstrous to attribute the origination of it to them.

2. Especially, as, so far from introducing, they were the first who opposed it. Bellarmine, one of their most eminent lights, absolutely denied, that the pope, by divine right, possessed directly, out of his own state, any temporal power : he taught that the temporal power of the pope was merely indirect, being confined to a right of exercising a temporal power, or of causing it to be exercised, when this was absolutely necessary to effect a great spiritual good, or to prevent a great spiritual evil. This was a considerable reduction of the power ascribed, till that time, to the pope ; and it gave great offence to the Roman see\*.

3. Even this mitigated doctrine was never taught by the jesuits in any state by the government of which it was not avowedly tolerated. It was tolerated, and the jesuits therefore taught it, in Rome, Spain, Germany, Hungary, Poland, and several states of Italy : but it was not tolerated, and the

\* "Ayant pris un sentiment mitoyen touchant le pretendu pouvoir du pape sur le temporel des rois, il ne plut ni à Rome ni en France."—L'Advocat, art. Ballarmine.

jesuits therefore did not teach it, in France, or the Venetian states.

4. Where it was formally proscribed by the state, it was formally disclaimed by the jesuits. Several instances of this will be produced in the following section.\*

5. To this, -- England unhappily forms an exception. There, the deposing doctrine was proscribed by the state ; and, for a period, -- much too long, -- was not disavowed, either by the jesuits or the general body of the clergy ; but the cause of this protracted delay of the disavowal, is its excuse. The heap of sanguinary, penal, and disabling laws, enacted by Elizabeth, and the three first princes of the house of Stuart, against the catholics, drove all persons intended for the priesthood, to the territories of the pope or the Spanish monarch. This rendered them, in a great measure, dependent, for their subsistence and education, on those powers ; they were therefore taught the doctrines of their schools. This circumstance we may lament, but no person of candour who does lament it, will ever be inattentive to its exculpating cause.

6. He will also acknowledge, that no sooner did England cease to be cruel, than every idea of the pope's temporal power began to vanish. The catholics crowded to take the oaths prescribed by the acts of 1778, 1791, and 1793 ; and the jesuits

\* See the excellent defence of the society against this charge, in father Griffet's *Réponse aux Assertions*, vol. iii. ch. ii. art. 2.

took them as readily and unreservedly as the others\*.

7. It should be added, that the constitutions of the order most explicitly prohibited to its members every kind of interference in state concerns, or temporal matters ; and that this was specially prohibited by Aquaviva, general of the order, to the English jesuits : therefore, if Persons or any other

\* After all,—the indirect power of the pope, though a doctrine absolutely insupportable in argument, was not found to be in practice quite so mischievous as it is generally described. It had even this advantage, that, on several occasions, during the boisterous governments of the feudal princes, it often proved an useful restraint, in the absence of every other, both on the king and the great nobility, and protected the lower ranks of society from their violence and oppression. Add to this,—that, when the pope proceeded to extremities against any sovereign, the clergy generally rallied round the monarch, and the people adhered to the clergy.—This produced a suspense of aggression :—the pontiff had time to think of his rashness, the monarch of his violence ; and some expedient was devised which led to good.

Contraries often meet in extremes.—Many a bitter word has been applied to the deposing doctrine of Persons and Mariana ; but it bears a nearer affinity to the whiggish doctrine of resistance, than is generally supposed. The whigs maintain that the people, where there is an extreme abuse of power,—of which abuse, the people themselves are to be the judges,—may dethrone the offending monarch. The good fathers assigned the same power to the people, in the same extreme case, but contended that, if there were any doubts of the existence of the extremity, the pope should be the judge.—Of the two systems, when all christendom was catholic, was not the last, speaking comparatively, the least objectionable?

individual offended in this respect, the offence was his own, the order was blameless.

8. It is idle to pursue the subject further. To quarrel with the jesuits of the nineteenth century because some of the order advocated the pope's temporal power in the reign of queen Elizabeth, or her immediate successor, is as preposterous, as to charge the present presbyterians with maintaining the lawfulness of religious persecution, because Calvin consigned Servetus to the flames, and Beza lauded him ; or to impute the belief of sorcery to his majesty's present judges, because lord Hale convicted some witches capitally in the seventeenth century ; or to impute the doctrine of passive obedience to the present bishops, because the divine right of kings was maintained by some of their predecessors in the eighteenth\*.

\* " I mention this oversight," says the late learned Richard Porson,—in one of his letters to Travis, in which he speaks of a mistake of an eminent writer,—" merely to strengthen an opinion which I have long entertained and will always resolutely defend, that all men are liable to error."—If the writer of these pages might be permitted to add his aphorism to that of Mr. Porson, he would, to use the language of that gentleman, say, that, " it is an opinion, which he has long entertained, and will always resolutely defend,—that no man is so bad as his polemic adversary describes him."

## LXXV. 8.

*Their alleged Exemption from the Civil Power in consequence of Papal Bulls and Briefs.*

WE have now to notice the charge brought against the jesuits from the bulls and briefs, by which popes have affected to exempt the jesuits from the civil power.

But these bulls and briefs, so far as they have this tendency, make no part of the institute of the society. In the *Apologie de l'Institut des Jésuites*, one of their standard works of defence\*, this is explicitly asserted. The author of it proves, by numerous examples, that, while the jesuits would rather die, than give up their institute, they resign, without reserve, all claims to these exemptions, when they are repugnant to the laws of any country in which they settle.

Thus,—in 1611, 1626 and 1713, they recognized the absolute civil independence of the sovereign on the pope, in solemn instruments, signed by them, with every legal formality, and entered on the records of the parliament of Paris.

In a former part of this work, the writer has mentioned the declaration of the Gallican clergy in 1682. The first article of it proclaims the absolute civil independence of the sovereign on the pope. Now, these articles were taught in all the schools of the French jesuits, and in 1757 and 1761 they formally and explicitly avowed their adherence to

\* Tom. ii. c. 27.

them. It has been related, that this was certified to the court, by the bishops of France ;—it ought to have been added, that, at this time, the gale of promotion veered in the opposite direction, so that a certificate of the contrary was then much more likely to obtain the favours of court.

Finally,—“ In the year 1761,” say the authors of the *Réponse aux Assertions*\*, “ at which time, “ the jesuits were most bitterly attacked for their “ institute and doctrine,—a model of a déclaration “ was sent to the five provincials of the jesuits in “ France, by the chancellor Lamoignon ; and a “ copy of it was desired to be returned to him, “ signed by the priests and young jesuits of all the “ colleges and houses in the kingdom. All their “ signatures were accordingly given and trans- “ mitted to the chancellor.”—The declaration is thus expressed :

“ First, that they hold and profess, and will “ ever hold and profess, that, in no circumstance, “ in no place, under no pretence of tyranny, or “ vexation from persecution, on no account of re- “ ligion, under no other possible pretence, it is “ lawful, or can be made lawful, for any person, “ whatever be his state or condition, to make any “ attempt, directly or indirectly, on the persons of “ sovereigns ; or to speak, write, insinuate, favour, “ or do any other act, which can tend to endanger “ their safety :—that they condemn and detest, as “ pernicious and deserving the execration of all “ ages, any doctrine to the contrary, which may be

\* Vol. iii. p. 597.

“ found in any works, that may have been composed, either by any member of their society, or by any other person, whosoever he may be.

“ Secondly,—That they hold and profess, and will ever hold and profess, the doctrine of the clergy of France, declared in their assembly of 1682:—consequently, they teach, and always will teach, that the power, given by Jesus Christ to St. Peter, to his successors, and to the church itself, is purely spiritual, and extends to that only, which belongs to eternal salvation; that they have no power over any thing that concerns temporals; and that thus the power of sovereigns in temporals is so totally independent of every spiritual power, that in no case, for no cause, and on no pretence whatever, can they, either directly or indirectly, be deposed by the power of the keys, or their subjects absolved, from their oath of allegiance.

“ Thirdly,—That they are, and always will be, subject to the laws, ordinances, regulations, and usages of the kingdom, in the same manner as all other subjects of the king, either spiritual or lay: as also, to the rules of the discipline and the common law of the church, in the same manner as these are binding on the other religious persons in the kingdom, and that they cannot attempt any thing contrary to the rights of the bishops, curates, universities, or others:—or make any use of any privilege, whatever it may be, except so far as it is conformable to the import of the laws and maxims of the kingdom.

“ Fourthly,—That, if it should happen,—(which may God forbid),—that they should be ordered by their general, or by any other person, invested with any authority, whatever it may be, to do, (contrary to the declarations above expressed); any thing against the laws of the church or the state, to their duty to their sovereigns, or to the public welfare or tranquillity, they declare, that they hold, and ever will hold, such decrees or instruments to be null,—on every ground of right; (*de plein droit*); and that they would be, and would consider themselves obliged to disobey them\*.”

\* The *Monita Secreta*, or *Private Instructions*,—a publication sometimes brought forward against the jesuits,—is a most infamous work, and wholly beneath notice.—It supposes, that the society has a deliberate plan of subjugating the universe to its sway, with a settled determination that, where any villainy would avail towards the accomplishment of this object, its members should adopt any villainy: that this horrid project was reduced to system; that this system is expressed in the *Monita Secreta*; and that these were put into the hands of the elect, to be used by them, whenever occasion should make it expedient.

Is this possible? Has it entered into the mind of man to conceive such an infernal plan?—When the queen of France was charged with corrupting the morals of her son, she nobly appealed for the impossibility of the charge, to the feelings of every mother;—and the feelings of every mother absolved her.—For the impossibility of the genuineness of the *Monita Secreta*, the jesuits may appeal, with equal confidence, to the feelings of every gentleman in the universe.—There does not live the jesuit, or the scholar of a jesuit, who, if any one of the doctrines which it inculcates, or any one practice which it recommends, were proposed to him, would not spurn it with indignation.

Even in those exemptions from episcopal jurisdiction, which the religious of all orders have sought to enjoy, the jesuits have been moderate. This is evident from the tenor of the foundation of their house at Liege. On that occasion, the count de Velbronck, the prince bishop of Liege, presented a petition to the pope, in which he noticed the establishment of that institution, its dotation ; and the suppression of the society of Jesus by pope Clement the fourteenth ; that, to prevent the English catholics from being deprived of the benefits of this college, he formed by his letter's patent a new kind of institute to preserve the salutary effects of the former ; that he had directed that the members of the college should remain subject to this ordinary authority of himself and his successors while they should be at Liege, and that when they should be on the English mission, they should be subject to the jurisdiction of the vicars apostolic ; that the superior of the house should be chosen by the principal members of the house, the English vicars apostolic, and the English catholic nobility, and presented to the bishop of Liege for the time being for confirmation. And that he had annexed some houses and other property to the college, and finally sanctioned the whole by his letters patent. The pope granted the petition of the prince bishop, and confirmed the

Neither the original, nor any certified copy, of this vile book was ever produced ; no circumstance respecting its discovery, ever proved ; no collateral fact to establish its authenticity, ever published.

establishment by a formal brief, beginning with the words, "Catholici Praesules," dated the 17th day before the calends of October 1778.

It was confirmed to the college at Stonyhurst by briefs of the 14th of February 1796, and 14th December 1818.

### LXXV. 9.

#### *The Dissolution of the Society.*

It does honour to christianity, that the first persecution of her was set on foot by Nero: it does similar honour to the jesuits, that the first persecution of them was set on foot by the marquis de Pombal, the most sanguinary and remorseless minister of state, that appeared in the last century. The charge, which he brought against the jesuits, was, that they were parties to a plot, for the assassination of the Portuguese monarch. Now, that such a plot existed, is very doubtful:—that the jesuits were concerned in it, has not been shown by the slightest evidence. For their supposed participation in it, they were banished from Portugal in 1759.

In the following year, the attack was made upon them in France. Father de la Valette, the procurator of their house of St. Peter in Martinique, and the superior-general of their missions in the Leeward Islands, had the direction of some plantations which belonged to the society; and, from the produce of which, their missions in those islands were altogether supported. He made a large con-

signment of colonial produce to the house of Lionçys and Gouffre, at Marseilles, and drew on them for the amount of two-thirds of it, by bills payable at a distant day. The Lionçys and Gouffre accepted the bills; the ship, charged with the consignment, was captured by the English; the bills became due, were dishonoured and protested: the Lionçys and Gouffre became bankrupts; and their effects were assigned, in the usual manner, to the syndic of Marseilles, for the benefit of the creditors. It was contended, on the part of the creditors, that, under the circumstances of the case, the general body of the society was answerable for the debt. This, the jesuits denied, and the cause was brought before the parliament of Paris. In support of their defence, the jesuits alleged their constitutions. Here, their enemies awaited them; and the parliament instantly ordered them to produce their constitutions in court and deposit them in the Griffe. On the 8th of May 1761, the cause was decided in favour of the creditors.

The parliament did not rest there; it proceeded to an examination of the constitutions, and by an arrêt of the 6th of August 1762, declared the bulls, briefs, constitutions, and other regulations of the society, to be abusive; and dissolved the society within the limits of their jurisdiction. Some other parliaments of France proceeded in the same manner. Finally, by an edict of 1763, Lewis the fifteenth suppressed the society within his dominions. They were banished by the king of Spain, in 1763; by the king of Naples, the duke of Parma, and the

grand master of Malta, in 1768; and where wholly suppressed by pope Clement the fourteenth, in 1773.

"In general," says the author of the "Vie privée de Louis XV."—and he certainly cannot be accused of partiality to the order,—"the more numerous and respectable portion of the nation regretted the jesuits. If this great cause had been heard, with the solemnity and gravity due to its importance, the jesuits might have thus addressed the magistrates;—' You ! all you, whose hearts and understandings we have formed, answer, before you condemn us, these questions ! We appeal to the judgment, which you formed of us, in that age, when candour and innocence reigned in your hearts. Now, therefore, come forward ! Declare !—Did we in our schools, in our discourses, or in the tribunal of penance, ever inculcate to you, any of those abominable maxims, with which we are now reproached ? Did you ever hear them fall from our lips ? Did you ever read them in the books, which we put into your hands ? Did you ever observe in our public or private conduct, any thing approaching to them ? Is it upon a few passages, torn and twisted from books, long buried in the dust of libraries, that we should be judged ? Should it not rather be on the doctrine which you heard from us,—when you filled our colleges, when you frequented our schools, our pulpits and our confessionals ? Is there among you, one who

“ has heard from us, even a single maxim, with  
“ which we are now charged ? Why,’—the jesuits  
“ might have continued, ‘ did *you* send *your* sons  
“ to *our* schools, if *you* had been taught, or did  
“ seriously suspect *us* of teaching, in them, bad  
“ morality.’

“ ‘ Alas !’ continues the same writer, “ the ma-  
“ gistrates said all this to one another:—in private  
“ they held no other language ; but they were  
“ no sooner seated on the bench of justice, than  
“ they were overpowered by their fanatical and  
“ louder brethren.”

At the time of its dissolution, father Ricci, of an illustrious house in Florence, was the superior-general of the society. He, and several others of its most distinguished members, were, on a sudden, imprisoned, by the order of pope Clement the fourteenth, and, after some changes of prison, conveyed to the castle of St. Angelo, and closely confined. They underwent separate interrogatories. Two questions only, in these interrogatories, seem to deserve notice.—The general was asked “ If there were abuses in the order ? ” He replied, “ that, “ through the mercy of God, there were no “ abuses, that could, in anywise, be called gene-“ ral ;—on the contrary, there were great regu-“ larity, piety, zeal, and particularly great union “ and charity ; this was demonstrated by the cir-“ cumstance, that, during fifteen years of extreme “ tribulation, there was no internal trouble or “ tumult ; and that all remained attached to their “ state, though excessively persecuted. This did

“ not prevent particular abuses from rising, through  
“ human frailty,—to which proper remedies were  
“ applied.”

The other question, which we shall notice, respected the wealth of the society.—Its enemies had foretold that its dissolution would lead to the discovery of immense treasures.—In no country, from which they were expelled, was this wealth, or the slightest vestige of it, discovered. This, the enemies of the society accounted for, by supposing, that, foreseeing the storm which was to burst upon them, the persons entrusted with the management of its funds, had transmitted them to Rome. “ Their avidity for the good things of this world,” says the author of the celebrated treatise, *Du Pape et des Jésuites*\*, “ is one of the greatest re-“ proaches made to the society, in the brief of “ Clement the fourteenth ; and yet, at the moment “ of their dissolution, they were encumbered by a “ heavy debt. This is an enigma, which can only “ be explained by a fact sufficiently known,—that “ they were obliged to send, every year, to Rome, “ the fruit of their economy and savings ; that “ these sums were put under the disposition of the “ general ; who, by their constitutions, was the “ sole proprietary of the company. By these “ means, a portion, not inconsiderable, of the reve-“ nues of the state flowed, furtively, through secret “ canals to swell a foreign treasure, and often “ served suspicious purposes.”

The supposed treasures were, however, quite as invisible at Rome, as in any other place.—At the interrogatory which has been mentioned, the general was strictly questioned respecting the amount of the wealth of the society, and his sending it from Rome to prevent its seizure;—“Neither I myself,” answered the general, “nor any person, within my knowledge, has sent a single penny of our property out of Rome, or placed it in any bank. The persuasion of our treasures, either hidden or invested, is extremely false,—a popular rumour without a foundation; probably invented by our enemies, or arising from the splendour of our churches. The belief of it is a mere dream, a delirium,—a real mania. I am surprised to find, even honourable persons give credit to this fable; they should be convinced of its falsehood by the multiplied and strange searches so fruitlessly made, both in Rome and other countries, to discover this imaginary wealth. The amount of the money, subject to my free disposition, was very inconsiderable.”

On the 19th of November 1775, feeling himself near his end, the general desired to receive the sacrament of the holy eucharist. The chaplain of the castle brought it to him; and just before he received the salutary host, the general, in the presence of the vice-governor of the castle, of don John, his secretary, of the brother Orlandi, an ex-jesuit, the serjeant Vennini, the corporal Piannara, nine soldiers, and some other persons, who assisted

at the ceremony,—solemnly pronounced, from a written paper, which he held in his hands, a declaration, of which the following is an extract :

“ Considering myself on the point of being presented before the tribunal of infallible truth and justice, which is no other than the divine tribunal,—after long and mature consideration, after having humbly prayed my most merciful Redeemer and terrible Judge, not to permit that I should allow myself to be led away by any passion, particularly in one of the last actions of my life, —without any bitterness of heart, or any vicious motive or end, and only because I hold myself to be obliged to do justice to truth and innocence,—I make the two following declarations and protestations :

“ First,—I declare and protest, that the suppressed society of Jesus, has given no ground for its suppression: I declare this, with all the certitude, that a superior, well informed of his order, can morally have.

“ Secondly,—I declare and protest, that I have not given any ground, not even the slightest, for my imprisonment. I declare and protest this, with that rectitude and evidence which every one hath of his own actions. I make this second protestation, only because it is necessary to the reputation of the society of Jesus, of which I was superior-general.”

---

That the society fell with dignity, is admitted even by their enemies. "Let not," - (wrote father Neuville, in a letter to one of his brethren), - "a word, a look, a single sigh of complaint or murmur escape you. A respect, which should not fail you during an instant, for the holy see, and for the pontiff, who fills it; perfect respect for the rigorous, but always adorable decrees, of Providence, and for the powers whom she employs in the execution of her designs, - the depth of which it is not for us to fathom; - these are our duties. Let our sorrows, our groans, our tears never escape us, except in the presence of God, and in his sanctuary; let our grief be expressed before men, no otherwise, than by the silence of modesty, peace and obedience! Let us forget, neither the instructions, nor the examples, for which we are indebted to our society! Let us show, by our conduct, that she deserved a better fate! And let the words and actions of the sons vindicate the mother! This will be her most powerful and able defence: it is the only defence which is permitted to us. We wished to serve religion, by our zeal and talents; let us endeavour to serve her, by our fall and sufferings! You cannot doubt the painful feelings of my heart, in beholding the humiliating destruction of the society, to whom I owe, whatever I possess, of virtue, talent or reputation. I may truly say, that every moment I drink the cup of bitterness: - but when we look on Jesus crucified, is it lawful for us to complain?"

The epitaph of the order might have been written in the few following lines :—

*In humble hope of the Divine favour,  
The Society of Jesus now reposes :  
Education languishes ;  
Irreligion and Insubordination increase :  
A Revolution,  
The horrors of which it enters not into the heart of Man  
to conceive,  
Advances rapidly.*

## LXXV. 10.

*The Restoration of the Society.*

THE writer has now to write, what he trusts all his readers will deem some pleasing lines. In August 1814, the pope re-established the society of Jesus, by his bull, *solicitudo omnium ecclesiarum*. By this, he derogated from the brief of Clement the fourteenth. He mentions the numerous requests, for the re-establishment of the jesuits, which he had received from persons of every class; praises their zeal and conduct in the countries, in which they had been re-established; and authorizes Thaddeus Borrozowski, their superior-general, to re-unite them in community, in order to employ themselves on education, in colleges, and seminaries, and in the functions of the ministry, conformably to the rule of St. Ignatius.

On the sixth of August, he communicated this bull to a consistory of cardinals: on the seventh,

he repaired, in great state, to the church of Jesus, in the ancient convent of the jesuits; and, after celebrating the sacrifice of the mass, on the altar dedicated to St. Ignatius, and assisting at another mass, he went into a large chamber. There, seated on a throne, and surrounded by the sacred college, and many prelates, he ordered the bull to be read by the master of the ceremonies, and then delivered it with his own hands into those of father Pannizone, a provincial of the order.

Let us now suppose that we hear Bossuet addressing to the jesuits, assembled on this occasion, the very words which he addressed to their fathers, in a sermon preached by him, in 1607, in their church at Paris\* : " You!—O celebrated society, " "—you, who bear, with so good a title, the name " " of Jesus, —whom the grace of God has inspired " " with the important design of leading children to " " him, from their infancy, to the maturity of man, " " in Jesus Christ,—to whom God, in these last " " ages, has given doctors, apostles, and evangelists, " " in order to make known, throughout the universe, " " and even to the extremity of the earth, the glory " " of the gospel,—cease not in its service, (con- " " formably to your holy institute), to exert all the " " talents of your minds, all your eloquence, all " " your politeness, and all your learning:—and the " " better to accomplish so great a work, receive " " with all this assembly, in testimony of eternal " " charity, the holy benediction of the Father, the " " Son, and the Holy Ghost!"

\* Œuvres de Bossuet, ed. Ben. vol. iv. p. 459.

His holiness, since the publication of this bull for the restoration of the society, has twice formally signified that "it was not his intention that it " should have the effect of restoring it to any state " which should not recal it, or express a wish for " its return."

We shall conclude this article with the verses which Gresset addressed to the jesuits when he quitted their order.

" Je dois tous mes regrets aux sages que je quitte :  
 " J'en perds avec douleur l'entretien vertueux ;  
 " Et, si dans leur foyers désormais je n'habite,  
 " Mon cœur me survit auprès d'eux.  
 " Car ne leurs crois point tels, que la main de l'envie  
 " Les peint à des yeux prévenus :  
 " Si tu ne les connois que sur ce qu'en publie  
 " La ténébreuse calomnie,  
 " Ils te sont encore inconnus :  
 " Lis,—et vois de leurs mœurs des traits plus ingénus :  
 " Qu'il est doux de leur rendre un témoignage  
 " Dont l'intérêt, la crainte, et l'espoir sont exclus !  
 " A leur sort le mien ne tient plus :—  
 " L'impartialité va tracer leur image.  
 " Oui, j'ai vu des mortels,—(j'en dois ici l'aveu),—  
 " Trop combattus, connus trop peu ;  
 " J'ai vu des esprits vrais, des mœurs incorruptibles,  
 " Voués à la patrie, à leur roi, à leur Dieu ;  
 " A leurs propres maux insensibles ;  
 " Prodigues de leurs jours, tendres, parfaits amis ;  
 " Et souvent bienfaiteurs paisibles  
 " De leurs plus fougeux ennemis ;  
 " Trop estimés enfin pour être moins hâts :  
 " Que d'autres s'exhalant, dans leur haine insensée,  
 " En reproches injurieux,  
 " Cherchent, en les quittant, à les rendre odieux :—  
 " Pour moi,—fidèle au vrai,—fidèle à ma pensée,  
 " C'est ainsi qu'en partant, je leur fais—Mes adieux."

It may be naturally asked in this place—if the jesuits were such friends to humanity, rendered such services to religion and literature, and were individually so honoured and loved, as they are represented in these pages,—why had they so many and such violent enemies?

The answer is plain:—

Talents and merit produce power and influence;—power and influence produce envy and ill-will. The power and influence of an individual operate generally within a limited circle, and therefore excite the envy and ill-will of few;—and these expire with their objects.—The power and influence of a body, numerously and strongly constituted, and spread over the whole world, as was the society of Jesus, are not thus limited; they are not only permanent, but almost always on the increase\*.

The consequence is obvious.

A young gentleman complained to the late sir Alexander Strachan, a distinguished member of the society, of the undeserved malevolence which he had received from some, whom he had served: “ My dear friend,” said the worthy father, “ you know the jesuits: think of us, and be satisfied.”

He might have involved the observation higher: he might have said,—“ Think of the fate of him, “ *qui pertransiit benefaciendo.*”

The writer hopes these historical minutes of this very interesting society will displease no enlightened or candid reader. No one can be more

\* See the *Apologie de l'Institut des Jésuites*, ch. iii. *septième objection*,—from which this remark is taken.

independent of its members, less connected with them, or have fewer calls on him to advocate their cause.—But,

“Pleas’d to spread friendships, and to cover heats,”

POPE.—

He could not refuse himself the satisfaction of offering, in this place, a few words in their eulogy.

---

### CHAP. LXXVI.

GENERAL STATE OF THE ENGLISH CATHOLICS,  
IN THE REIGN OF GEORGE THE THIRD, BE-  
FORE THE ACT PASSED IN THEIR FAVOUR IN

1778.

1760.

IN the preceding part of this work, we have brought the history of the English catholics to the reign of George the third: we shall now briefly mention, I. Their general condition, from the revolution till that period: II. And its gradual improvement.

#### LXXVI. 1.

*General Condition of the English Catholics, from the Re-  
volution till the Accession of George the third.*

DURING the first part of his reign, the catholics suffered a considerable degree of persecution.—

Attempts were sometimes made to carry into execution the sanguinary laws against their clergy. In 1769, the honourable James Talbot, the brother of the late, and uncle of the present earl of Shrewsbury, was tried for his life, at the Old Bailey, for saying mass; and only escaped conviction from the want of evidence. Other priests were prosecuted; and some imprisoned for life. On an inquiry made by the writer of these pages, in 1780, respecting the execution of the penal laws against the catholics, he found, that the single house of Dynely and Ashmall, attorneys in Gray's Inn, had defended more than twenty priests, under such prosecutions; and that, greatly to their honour, they had generally defended them gratuitously. To avoid these prosecutions, several priests fled beyond the sea, or removed to remote parts of England. In many instances, the laws which deprived the catholics of their landed property, were enforced: cases of this nature are mentioned in the law reports.

So lately as in the year 1782, two very poor catholic labourers and their wives were summoned before one of his majesty's justices of peace in the county of York, and fined one shilling each, for not repairing to church; and the constable raised it by distraining, in the house of one them, an oak table, and a plate shelf,—in the house of the other, a shelf and two dozen of delf plates, one pewter dish, with some pewter plates, one oak table, and an arm chair. The sale was publicly called, at the

market day, and the goods were sold by auction at their respective houses\*.

In other respects, the catholics were subject to great vexation and contumely. No person, who was not alive in those times, can imagine the depression and humiliation under which the general body of roman-catholics then laboured. Often, in his early life, has the writer heard the ancestors of the catholic youth of that period tell them, that they could form no idea of the sufferings of the catholics in the beginning of the last century. He, in his turn, can now aver, that the present catholic youth can form no idea of the lamentable state of the catholics, so lately as in the reign of George the second, and the first years of George the third. They cannot picture to themselves the harsh, the contemptuous, and the distressing expressions, which, at that time, a catholic daily heard, even from persons of humanity and good breeding. At a court ball, a roman-catholic young lady of very high rank, distinguished by character, by beauty, and even by the misfortunes of her family, was treated with marked slight by the lord chamber-

\* The constable's bill was in these words:—

To not attending church	- - - - -	£. - 2 -
To a warrant	- - - - -	1 -
To constable's expenses	- - - - -	2 -
		<hr/>
		£. - 5 -

See "A Letter to the author of the Review of the Cases of the Protestant Dissenters, with a short Address to the most reverend the Lord Bishop of St. David's, by Sir Henry Englefield, bart. 1790, p. 61, 62."

lain. "It is very hard," she exclaimed, "to be so treated;—after all, I was invited;"—and burst into tears. They were noticed by queen Caroline; and, when her majesty learnt the cause, there was not a kind, a generous, or a soothing excuse, which she did not make to her. While this compassionate gentleness showed the amiable mind of the queen, the unfeeling rudeness of the chamberlain as strongly showed the temper of the times. A Norfolk gentleman took a young catholic friend to his seat in that county, and told him he should make it a point to introduce him to all his friends; "but," said he, "you must permit me to inform them that you are a catholic, for I do not think it fair to introduce a catholic to any one, without first mentioning his religion."—Yet, this gentleman possessed a cultivated understanding, and had travelled.—The writer doubts, whether, during the first years of the late reign, any catholic permitted his son to travel in a stage-coach, without previously cautioning him against saying any thing that might discover his religion.—Such was the general fear of abuse and contumely, in which the catholics then lived.

Two circumstances particularly contributed both to preserve and increase the national prejudice against the roman-catholics. From the time of the revolution, the state had been divided into a whig and a tory,—the church, into a high and a low church, party; and each had its subdivisions. Agreeing in nothing else, all united in professing an abhorrence of popery; and each strove to outdo the

other in its crimination. The passage, which we have cited from bishop Burnet, shows the effect of this rivalry, while the penal enactment of the 10th and 11th of William the third, was in its passage through the parliament.—Mr. Burke's description of it is as accurate as it is eloquent.—

“ A party,” said this eloquent senator, in his speech to the electors of Bristol,—“ in this nation, “ enemies to the system of revolution, were in op<sup>t</sup> “ position to the government of king William. “ They knew, that our glorious deliverer was an “ enemy to all persecution. They knew, that he “ came to free us from slavery and popery, out of “ a country, where a third of the people are con- “ tented catholics, under a protestant government. “ He came, with a part of his army, composed of “ those very catholics, to overset the power of a “ popish prince. Such is the effect of a tolerating “ spirit: and so much is liberty served, in every way, “ and by all persons, by a manly adherence to its “ own principles. Whilst freedom is true to itself, “ every thing becomes subject to it; and its very “ adversaries are an instrument in its hands.

“ The party I speak of,” continues Mr. Burke, “ (like some among us, who would disparage the “ best friends of their country), resolved to make “ the king either violate his principles of tolera- “ tion, or incur the odium of protecting papists. “ They, therefore, brought in this bill; and made “ it, purposely, wicked and absurd, that it might “ be rejected. The then court party, discovering “ their game, turned the tables on them; and re-

“ turned their bill to them, stuffed with still greater  
“ absurdities, that its loss might lie upon its ori-  
“ ginal authors. They, finding their own ball  
“ thrown back to them, kicked it back again to  
“ their adversaries. And thus this act, loaded  
“ with the double injustice of two parties, neither  
“ of whom intended to pass, what they hoped the  
“ other would be persuaded to reject, went through  
“ the legislature, contrary to the real wish of all  
“ parts of it, and of all the parties that composed  
“ it. In this manner, these insolent and profligate  
“ factions, as if they were playing with balls and  
“ counters, made a sport of the fortunes and the  
“ liberties of their fellow creatures. Other acts of  
“ persecution have been acts of malice; this was  
“ a subversion of justice, from wantonness and pe-  
“ tulance. Look into the history of bishop Burnet.  
“ He is a witness without exception.

“ The effects of the act have been as mischievous,  
“ as its origin was ludicrous and shameful. From  
“ that time, every person of that communion, lay  
“ and ecclesiastic, has been obliged to fly from  
“ the face of day. The clergy, concealed in gar-  
“ rets of private houses, or obliged to take a shelter,  
“ —(hardly safe to themselves, but infinitely dan-  
“ gerous to their country),—under the privileges  
“ of foreign ministers, officiated as their servants,  
“ and under their protection. The whole body of  
“ the catholics, condemned to beggary, and to  
“ ignorance, in their native land, have been obliged  
“ to learn the principles of letters, at the hazard of  
“ all their other principles, from the charity of

“ your enemies. They have been taxed, to their ruin, at the pleasure of necessitous and profigate relations ; and according to the measure of “ their necessity and profligacy.”

The other circumstance, particularly serving to preserve and increase the popular odium against the catholics, was their estranging themselves from general society : but this was their misfortune, not their fault. We have noticed the constructive recusancy, to which the catholics were liable by the statute of George the first, and the dreadful proscription to which it exposed them. We shall not repeat what we have said on this subject,—we shall only transcribe Mr. Burke's description of its effects : “ Such,” says that great man, “ was the situation of the catholics at this time, that they not only shrunk from the frowns of a stern magistrate, but were obliged to fly from their very species ;—a kind of universal subserviency, that made the very servant behind their chairs the arbiter of their lives and fortunes.”

## LXXVI. 2.

*The gradual Amelioration in the situation of Catholics.*

THE first approximation of catholics to the notice of their sovereign, took place in consequence of some attentions, which Edward duke of Norfolk, (to whom the present duke is third in succession), and Mary, the wife of duke Edward, had an opportunity of showing to Frederick prince of Wales, during the variance between his royal

highness and George the second, his father. The late king was born at Norfolk House. It is known that, at this time, George the second and the prince were at variance. The duke and duchess conducted themselves, on this occasion, in a manner highly pleasing both to the parent and the son, and to the consorts of each. It was signified to them, that their frequent attendance at court was expected; and queen Caroline often invited the duchess to her private parties. The duchess was gifted with great talents: was easy, dignified, and, when she pleased, singularly insinuating. Her grace, lady Clifford, and the lady of Mr. Philip Howard, were daughters and co-heiresses of Mr. Edward Blount, the early patron and correspondent of Pope. Through Pope, she became acquainted with Mr. Murray, afterwards lord Mansfield—in his early life,—while he yet lived at No. 5, in King's Bench Walks,—where he is so well described by the bard—

“ To *number five* direct your doves :  
“ There, spread round Murray all your blooming loves ;  
“ Noble and young, who strikes the heart,  
“ With every sprightly, every decent part :  
“ Equal, the injured to defend,  
“ To charm the mistress, or to fix the friend.”

She loved business. Her talents for it, and her high rank, made her the refuge of the catholics in all their vexations; and she availed herself of her intimacy with lord Mansfield to render them every service in her power.—Her house was the centre of whatever was great and elegant, in either com-

mention; and, by familiarising them with one another, their prejudices were softened, and their mutual good will increased.

Lord Mansfield had the great merit of being the first public character, who openly advocated the catholic cause, and expressed a decided opinion in favour of a relaxation of the penal code. On every occasion, he discountenanced the prosecutions of catholic priests, and took care, that the accused should have every advantage that the forms of proceeding, or the letter or spirit of the law could afford. He omitted no opportunity of inculcating the salutary doctrine of toleration; or of impressing on the minds of his hearers the important fact,—still, perhaps, too little regarded,—that the circumstances, which provoked the enactment of the penal code, had long ceased to exist; and that the time was come, when mutual forbearance, and mutual benevolence, should anticipate its legislative repeal. His speech in favour of the dissenters, in the case of Mr. Allen Evans,—finally heard in the house of lords, on the 4th of February 1767,—is an eternal monument, both of his enlarged and comprehensive notions on the subject of religious toleration, and of his peculiar style of oratory. “What bloodshed and confusion,” says his lordship, “have been occasioned from the reign of Henry the fourth, when the first penal statutes were enacted, down to the revolution, in this kingdom, by laws made to force conscience! There is nothing certainly more unreasonable, more inconsistent with the rights of human

“ nature, more contrary to the spirit and precepts  
“ of the christian religion, more iniquitous and  
“ unjust, more impolitic, than persecution. It is  
“ against nature, revealed religion, and sound  
“ policy.—Sad experience, and a large mind, taught  
“ that great man, the president de Thou, this doctrine.  
“ Let any man read the admirable things, which,  
“ though a papist, he has dared to advance upon  
“ the subject, in his dedication of his history to  
“ Henry the fourth of France, (which I never  
“ could read without rapture), and he will be fully  
“ convinced, not only how cruel, but how impolitic  
“ it is to persecute for religious opinions.”

It may be added, that those who wish to form true notions of the charges brought against James the second, for his abuse of the dispensing power, should read his lordship's speech on the embargo in 1766 ;—a luminous and complete treatise on that very delicate, and very little understood branch of constitutional law.

The honour of first calling the attention of the legislature to the situation of the catholics, was reserved to lord Camden. The owner of an estate in the north of England, subject to a jointure rent-charge of a catholic lady, who had treated him with great kindness,—disputed her title to it, on the ground, that, being a roman-catholic, she was disabled, by the act of the 10th and 11th of king William, from taking any estate or interest in land. On advising with her lawyers, the lady found her case remediless, in any court of law or equity. By the advice of a respectable and powerful neigh-

bour, she procured a bill to be brought into the house of lords, for her relief. Lord Camden, on reading her petition, declared himself, without hesitation, the advocate of her cause. Generally, his lordship's style of public speaking was that of colloquial and pleasing, though dignified oratory. Occasionally, however, he rose to the true sublime; and it was then the more impressive, as it appeared to come from the heart. On the occasion which we have mentioned, his lordship was eminently great. When he spoke of the harshness of the case, and the harshness of the laws which produced it, and the claims of the catholics on the humanity and the wisdom of the house for their repeal, he was heard with an unanimous burst of applause; and his speech produced a corresponding sensation on the public.—To this circumstance, Mr. Burke, in his speech which we have cited, alludes, when he says, “so ineffectual is the power “of legal evasion against legal iniquity, that it “was but the other day that a lady of condition, “beyond the middle of life, was on the point of “being stripped of her whole fortune by a near “relation, to whom she had been a friend and “benefactor; and she must have been totally “ruined, without a power of redress or mitigation “from a court of law, had not the legislature itself “rushed in, and by a special act of parliament “rescued her from the injustice of its own sta- “tutes.”

## C H A P. LXXVII.

THE ACT PASSED IN THE EIGHTEENTH YEAR OF  
HIS LATE MAJESTY, FOR THE RELIEF OF THE  
ENGLISH CATHOLICS.

IT is now the pleasing duty of the writer of these pages, to mention the acts, passed during the late reign, for the relief of the English catholics. The first was passed in the eighteenth year of his late majesty. The writer will state in this chapter, I. The petition presented, in that year, by the English catholics: II. The proceedings in parliament, upon the act: III. Its legal operation: IV. The oath, which it prescribed: And, V. The riots in 1780.

## LXXVII. 1.

*The Petition presented by the English Catholics in 1778.*

“ To the king’s most excellent majesty.

“ The humble address of the roman-catholic peers  
“ and commoners, of Great Britain.

“ Most gracious sovereign,

“ We, your majesty’s dutiful and loyal subjects,  
“ the roman-catholic peers and commoners of your  
“ kingdom of Great Britain, most humbly hope,  
“ that it cannot be offensive to the clemency of  
“ your majesty’s nature, or to the maxims of your  
“ just and wise government, that any part of your

“ subjects should approach your royal presence, to  
“ assure your majesty of the respectful affection  
“ which they bear to your person, and their true  
“ attachment to the civil constitution of their coun-  
“ try ; which, having been perpetuated through  
“ all changes of religious opinions and establish-  
“ ments, has been, at length, perfected by that  
“ revolution which has placed your majesty’s il-  
“ lustrious house on the thrones of these kingdoms;  
“ and inseparably united your title to the crown,  
“ with the laws and liberties of your people.

“ Our exclusion from many of the benefits of  
“ that constitution, has not diminished our rever-  
“ ence to it. We behold, with satisfaction, the  
“ felicity of our fellow subjects; and we partake of  
“ the general prosperity, which results from an  
“ institution so full of wisdom. We have patiently  
“ submitted to such restrictions and discourage-  
“ ments, as the legislature thought expedient. We  
“ have thankfully received such relaxations of the  
“ rigour of the laws, as the mildness of an en-  
“ lightened age, and the benignity of your ma-  
“ jesty’s goverment, have gradually produced:  
“ and we submissively wait, without presuming to  
“ suggest either time or measure, for such other  
“ indulgence, as those happy causes cannot fail, in  
“ their own season, to effect.

“ We beg leave to assure your majesty, that our  
“ dissent from the legal establishment in matters  
“ of religion, is purely conscientious; that we hold  
“ no opinions adverse to your majesty’s gover-  
“ ment, or repugnant to the duties of good citizens.

“ And we trust, that this has been shown more decisively, by our irreproachable conduct for many years past, under circumstances of public discountenance and displeasure, than it can be manifested by any declaration whatever.

“ In a time of public danger, when your majesty’s subjects can have but one interest, and ought to have but one wish and one sentiment, we humbly hope it will not be deemed improper to assure your majesty of our unreserved affection to your government, of our unalterable attachment to the cause and welfare of this our common country, and our utter detestation of the designs and views of any foreign power against the dignity of your majesty’s crown, the safety and tranquillity of your majesty’s subjects.

“ The delicacy of our situation is such, that we do not presume to point out the particular means, by which we may be allowed to testify our zeal to your majesty, and our wishes to serve our country; but we entreat leave, faithfully to assure your majesty, that we shall be perfectly ready, on every occasion, to give such proofs of our fidelity, and the purity of our intentions, as your majesty’s wisdom, and the sense of the nation, shall at any time deem expedient.”

This address was signed by the duke of Norfolk, the lords Surrey and Shrewsbury;—By lord Linton, (for the Scotch); and by lords Stourton, Petre, Arundel, Dormer, Teynham, Clifford, and one hundred and sixty-three commoners.

## LXXVII. 2.

*The Proceedings in Parliament on the Act of the Eighteenth  
of his late Majesty.*

“ THE lateness of the season,—(say the writers  
“ of the Annual Register of the year 1778),—did  
“ not prevent sir George Saville from endeavouring  
“ to profit of the lenient temper, and liberal spirit  
“ of the times, in favour of a long oppressed body  
“ of men, almost forgotten, in the patience and  
“ silence with which, for many years, they endured  
“ their grievances. However necessary the penal  
“ laws against roman-catholics originally were,  
“ whilst the constitution was yet struggling into  
“ reformation, and afterwards confirming itself in  
“ that happy settlement,—as the causes of perse-  
“ cution had long ceased to operate, men of hu-  
“ manity could not avoid lamenting, (as all true  
“ policy forbad), the keeping up of such standing  
“ memorials of civil rancour and discord ; and per-  
“ petuating a line of division, by which one part  
“ of the people, being cut off from the rights of  
“ citizens, could scarcely be said to possess any  
“ share in the common interest ; and were rendered  
“ incapable of forming any part of the common  
“ union of defence. Indeed, the laws seem cal-  
“ culated to compel a considerable body of people  
“ to hold an hereditary enmity to government ;  
“ and even to wean them from all affection to their  
“ country. On the 14th of May, 1778, sir George  
“ Saville moved accordingly, for leave to bring in

“ a bill, for the repeal of certain penalties and  
“ disabilities, provided in an act of the 10th and  
“ 11th of William the third, intituled, an act to  
“ prevent the further growth of popery. He stated,  
“ that one of his principal views, in proposing this  
“ repeal, was, to vindicate the honour, and to assert  
“ the principles, of the protestant religion, to which  
“ all persecution was, or ought to be, wholly ad-  
“ verse : that this pure religion ought not to have  
“ had an existence, if persecution had been lawful ;  
“ and it ill became us to practise that which we  
“ reproached in others : that he did not meddle  
“ with the vast body of that penal code ; but  
“ selected that act, on which he found most of the  
“ prosecutions had been formed ; and which gave  
“ the greatest scope to the base views of interested  
“ relations, and of informers for reward. The act  
“ had not, indeed, been regularly put in execution ;  
“ but sometimes it had ; and he understood, that  
“ several lived under great terror, and some under  
“ actual contribution, in consequence of the powers  
“ given by it. As an inducement to the repeal of  
“ those penalties, which were directed with such  
“ a violence of severity against papists, he stated  
“ the peaceable and loyal behaviour of that part  
“ of the people, under a government, which, though  
“ not rigorous in enforcing, yet suffered such in-  
“ tolerable penalties and disqualifications to stand  
“ against them on the statutes.

“ A late loyal and excellent address, which they  
“ had presented to the throne, stood high among  
“ the instances which sir George pointed out, of

“ the safety and good consequences which were  
“ likely to attend this liberal procedure of parlia-  
“ ment.—He observed, that, in the address, they  
“ not only expressed their obedience to the go-  
“ vernment under which they lived, but their  
“ attachment to the constitution, upon which the  
“ civil rights of this country have been established  
“ by the revolution, and which placed the present  
“ family upon the throne of these kingdoms. As  
“ a further guard and security, however, against  
“ any possible consequence of the measure, he  
“ proposed, that a sufficient test might be formed,  
“ by which they should bind themselves to the sup-  
“ port of the civil government, by law established.

“ The motion was seconded by Mr. Dunning,  
“ who, with his well known ability and knowledge  
“ in such subjects, went into a legal discussion of  
“ the principal objects, and past operation of the  
“ bill, which was intended to be repealed. The  
“ following he stated as the great and grievous  
“ penalties ;—the punishment of popish priests or  
“ jesuits, who should be found to teach or officiate  
“ in the services of that church ; which acts were  
“ felony in foreigners, and high treason in the  
“ natives of this kingdom ;—the forfeitures of po-  
“ pish heirs, who had received their education  
“ abroad, and whose estates went to the next pro-  
“ testant heir :—the power given to the son, or  
“ other nearest relation, being a protestant, to take  
“ possession of the father’s or other relation’s es-  
“ tate, during the life of the real proprietor :—and  
“ the depriving of papists of the power of ac-

“ quiring any legal property by purchase;—a word, which, in its legal meaning, carried a much greater latitude than was understood, (and that perhaps happily), in its ordinary acceptance; for it applied to all legal property, acquired by any other means than that of descent.

“ These, he said, were the objects of the proposed repeal. Some of the laws, he remarked, had now ceased to be necessary; and others were, at all times, a disgrace to humanity. The imprisonment of a popish priest, for life, for officiating in the service of his religion, was horrible in its nature; and must, to an Englishman, be worse than death. Such a law, in times of so great liberality as the present, and when so little was to be apprehended from these people, called loudly for appeal; and he begged to remind the house, that even then, they would not be left at liberty to exercise their functions; but would still, under the restriction of former laws, be liable to a year's imprisonment, and to the punishment of a heavy fine. And although, he observed, the mildness of government had hitherto softened the rigour of the law in the practice, it was to be remembered, that the roman-catholic priests constantly lay at the mercy of the basest and most abandoned of mankind, common informers; for, on the evidence of any of these wretches, the magisterial and judicial powers, were, of necessity, bound to enforce all the shameful penalties of the act. Others of these penalties held out the most powerful temptations

“ for the commission of acts of depravity, at the  
“ very thought of which our nature recoils with  
“ horror. They seem calculated to loosen all the  
“ bands of society ; to dissolve all civil, moral, and  
“ religious obligations and duties ; to poison the  
“ sources of domestic felicity ; and to annihilate  
“ every principle of honour. The encouragement  
“ given to children to lay their hands upon the es-  
“ tates of their parents ; and the restriction, which  
“ debars any man from the honest acquisition of  
“ property, need, said he, only to be mentioned to  
“ excite the utmost indignation of this house.

“ The motion was received with universal ap-  
“ probation ; and a bill was accordingly brought  
“ in. It passed both houses without a single ne-  
“ gative.”

## LXXVII. 3.

*The legal Operation of the Act of the eighteenth of his late  
Majesty.*

THE legal operation of the act of the 18th year of his late majesty was very limited. It repealed the clause of the 10th and 12th of William the third, which disabled the English-catholics from taking lands by descent ; and some clauses in the same act, which related to the apprehending of bishops and priests, and which subjected them and catholics, who kept schools, to perpetual imprisonment. The other clauses of the act of king William, and every pain, penalty, and disability, inflicted by other acts, remained in all their force

against them. But, though the legal benefits, which the catholics derived from the act, were limited, the advantages which they derived from it in other respects were both substantial and extensive. It shook the general prejudice against them to its centre : it disposed their neighbours to think of them with kindness ; it led the public to view the pretensions to further relief with a favourable eye ; and it restored to them a thousand indescribable charities in the ordinary intercourse of social life, which they had seldom experienced. No catholic, who recollects the passing of the bill, will ever forget the general anxiety of the body, while it was in its progress through the parliament ; or the smile and friendly greeting, with which his protestant neighbour met him, the day after it had passed into a law.

## LXXVII. 4.

*The Oath prescribed by the Act.*

THE boon, however, was burthened with an oath.—Every such oath, so far as it requires from catholics a solemn profession of moral or civil principle, not required from any other subject, is felt by them as an humiliation. Still, as the oath, of which we are now speaking, contained nothing offensive to their religious principles, and their friends advised them to submit to it, as a necessary sacrifice to popular prejudice, they acquiesced in it, —and the oath was taken universally.

As soon as the terms of it were arranged, to the

satisfaction of his majesty's ministers, it was communicated to the four vicars-apostolic, and admitted by them all. Lord Petre, and some other gentlemen, waited upon the late bishop Challoner, and put it into his hands. He perused it with great deliberation, and explicitly sanctioned it. He observed, however, that it contained some expressions, contrary to the Roman style ; that these might create difficulties at Rome, if Rome were consulted upon it beforehand : but that Rome would not object to the oath, after the bill was passed. He therefore recommended to the gentlemen, who waited upon him, to avoid all unnecessary delay in procuring the act. This fact is known to every person who has lived in habits of intimacy with lord Petre, or with any gentleman who accompanied his lordship to the venerable prelate. For the truth of it, the writer has leave to cite sir John Throckmorton, who repeatedly heard it from lord Petre, and Mr. Joseph Berington, who repeatedly heard it from Mr. Stapleton. The writer himself has repeatedly heard lord Petre mention it.

The oath is expressed in the following words :

“ I, A, B, do sincerely promise and swear, that  
“ I will be faithful, and bear true allegiance to his  
“ majesty king George the third ; and him will  
“ defend, to the utmost of my power, against all  
“ conspiracies and attempts whatsoever that shall  
“ be made against his person, crown, or dignity ;  
“ and I will do my utmost endeavour to disclose  
“ and make known to his majesty, his heirs  
“ and successors, all treasons and traitorous con-

“spiracies, which may be formed against him or  
“them ; and I do faithfully promise to maintain,  
“support, and defend, to the utmost of my power,  
“the succession of the crown in his majesty’s fa-  
“mily, against any person or persons whatsoever ;  
“hereby utterly renouncing and abjuring any  
“obedience or allegiance unto the person taking  
“upon himself the style and title of prince of  
“Wales, in the life-time of his father ; and who,  
“since his death, is said to have assumed the  
“style and title of king of Great Britain, by the  
“name of Charles the third ; and to any other  
“person, claiming or pretending a right to the  
“crown of these realms ; and I do swear, that I do  
“reject and detest, as an unchristian and impious  
“position, that it is lawful to murder or destroy  
“any person or persons whatsoever, for or under  
“pretence of their being heretics ; and also that  
“unchristian and impious principle, that no faith is  
“to be kept with heretics : I further declare, that it  
“is no article of my faith, and that I do renounce,  
“reject, and abjure the opinion, that princes ex-  
“communicated by the pope and council, or by  
“any authority of the see of Rome, or by any  
“authority whatsoever, may be deposed or mur-  
“dered by their subjects, or any person whatso-  
“ever ; and I do declare, that I do not believe  
“that the pope of Rome, or any other foreign  
“prince, prelate, state, or potentate, hath, or ought  
“to have, any temporal or civil jurisdiction, power,  
“superiority, or pre-eminence, directly or indirectly,  
“within this realm. And I do solemnly, in the

“ presence of God, profess, testify, and declare, that  
“ I do make this declaration, and every part there-  
“ of, in the plain and ordinary sense of the words  
“ of this oath, without any evasion, equivocation,  
“ or mental reservation whatever ; and without  
“ any dispensation already granted by the pope,  
“ or any authority of the see of Rome, or any  
“ person whatever ; and without thinking that I  
“ am, or can be, acquitted before God or man, or  
“ absolved of this declaration, or any part thereof,  
“ although the pope, or any other persons or  
“ authority whatsoever, shall dispense with or  
“ annul the same, or declare that it was null or  
“ void.”

A more complete and unreserved disclaimer of the deposing doctrine, than is contained in this oath, language cannot express. Worthy of immortal memory, are the prelates who took it, and exhorted their flocks to take it. To these venerable men, we owe the free exercise of our religion, and the security of our property, which we now enjoy : should we succeed in our hopes of further relief, to them, primarily, we shall owe our success. For want of their better spirit, how often did our ancestors experience, that ultra-catholicism is one of the worst enemies of catholicity\*?

\* The reader will be pleased to read the following letter, written on the subject of this oath, by the late bishop Challoner, to the late bishop Hornyold, and which has been copied from the original. “ Honour'd dear sir,—In compliance with yours “ to Mr. Browne, I here send you my thoughts with regard to “ the oath proposed by the late act of parliament, which I

## LXXVII. 5.

*The Riots in 1780\*.*

THE following account of this singular event we transcribe from the Annual Register of that year. "While these matters," say the writers of that valuable historical work, "were agitated with so much warmth, in and out of parliament, and with so many extraordinary turns of fortune, an affair totally separate, was, at the same time, carried on, for a long time, with little notice; but which, in due season, broke out with so much fury and violence, as entirely to bear down all designs, either for reforming or for strengthening government; and at once overwhelmed, and bore away before it, both majority and minority, with an irresistible torrent of popular fanaticism and phrenzy.

"Every body knows the circumstances, as well as the sentiments of my m<sup>r</sup> \_\_\_\_\_" (bishop James Talbot, and our brother, (bishop) Walton, and of the generality of our clergy, both secular and regular; a great many of whom have taken the oath in our courts of Westminster. I remain, honoured dear sir, ever yours in our Lord, Richard Challoner.

\* Mention of the riots in Scotland will be made in the second supplementary chapter to this work.

“ as the event, of this shameful and unhappy affair ;  
“ and that lord George Gordon, who had been  
“ early placed at the head of the Scotch associa-  
“ tion for the support of the protestant religion,  
“ was likewise appointed president to an associa-  
“ tion in London, formed in imitation or emula-  
“ tion of the former. The public summons in the  
“ newspapers, by which he assembled fifty or sixty  
“ thousand men, in St. George’s-fields, under an  
“ idea of defending the religion of the country  
“ against imaginary danger, by accompanying the  
“ presentment, and enforcing the matter of a peti-  
“ tion to parliament, demanding the repeal of the  
“ late law which afforded some relaxation of the  
“ penal statutes against popery,—are likewise fresh  
“ in every body’s memory.

“ The extraordinary conduct of that noble per-  
“ son in the house of commons, during the present  
“ session, and the frequent interruptions which he  
“ gave to the business of parliament, as well by  
“ the unaccountable manner in which he continu-  
“ ally brought in and treated matters relative to  
“ religion, and the danger of popery, as the ca-  
“ price with which he divided the house, upon  
“ questions, wherein he stood nearly, or entirely  
“ alone, were passed over, along with other singu-  
“ larities in his dress and manner, rather as sub-  
“ jects of pleasantry, than of serious notice or  
“ reprobation. Even when he involved matters  
“ of state with those of religion, in a strange kind  
“ of language, boasting that he was at the head of  
“ a hundred and twenty thousand able men in

“ Scotland, who would quickly remedy their own  
“ grievances, if they were not otherwise redressed ;  
“ and little less than holding out destruction to  
“ the crown and government, unless full security  
“ was given to the associations in both countries,  
“ against those imminent dangers, with which they  
“ were immediately threatened by popery. Such  
“ things, and others, if possible, still more extra-  
“ ordinary, were only treated merely as objects of  
“ laughter. It is, however, possible that this care-  
“ lessness, or complacence, of the house, was at  
“ length carried too far.

“ Besides the advertisements and resolutions,  
“ the inflammatory harangue of the president, at  
“ the preceding meeting of the protestant associa-  
“ tion, was published in the newspapers, and was  
“ full of matter, which might well have excited the  
“ most instant attention and alarm. In that piece,  
“ the president informs his enthusiastic adherents,  
“ among other extraordinary matter, that, for his  
“ part, he would run all hazards with the people ;  
“ and, if the people were too lukewarm to run all  
“ hazards with him, when their conscience and  
“ their country called them forth, they might get  
“ another president ; for he would tell them can-  
“ didly, that he was not a lukewarm man himself ;  
“ and if they meant to spend their time in mock  
“ debate and idle opposition, they might get an-  
“ other leader. He afterwards declared, that if  
“ he was attended by less than twenty thousand,  
“ on the appointed day, he would not present their  
“ petition ; and he gave orders, under the appear-

“ ance of a motion, for the manner in which they  
“ should be marshalled in St. George’s-fields;  
“ appointing that they should be formed in four  
“ bodies; three of them regulated by the respec-  
“ tive boundaries of the great divisions of the me-  
“ tropolis; and the fourth composed entirely of his  
“ own particular countrymen. To prevent mis-  
“ takes, the whole were to be distinguished by blue  
“ cockades. If this were not sufficient to arouse  
“ the attention of government, lord George Gordon  
“ gave notice to the house of commons, on the  
“ Tuesday, that the petition would be presented  
“ on the following Friday, and that the whole body  
“ of protestant associators were to assemble in  
“ St. George’s-fields, in order to accompany their  
“ petition to the house.

“ These notices ought to have given a more  
“ serious alarm, than they seem to have done, to  
“ government. The opposition afterwards charged  
“ them with little less than a meditated encou-  
“ ragement to this fanatic tumult, in order to dis-  
“ countenance the associations which had more  
“ serious objects in view, and to render odious and  
“ contemptible all popular interposition in affairs  
“ of state. They reminded them of their activity  
“ in giving orders to hold the military in readiness,  
“ on a peaceable meeting in Westminster-hall, and  
“ their utter neglect of the declared and denounced  
“ violence of this sort of people.

“ The alarming cry against popery, with the  
“ continual invective and abuse which they disse-  
“ minated through newspapers, pamphlets, and

“ sermons, by degrees drew over to a meeting, “ originally small and obscure, a number of well-“ meaning people, from the various classes of pro-“ testants, who seriously apprehended their reli-“ gion to be in danger. These, however deficient “ they were in point of consideration, being, for “ the far greater part, poor and ignorant people, “ many of whom could not write their names, they “ became formidable with respect to numbers. It “ is, however, to be at all times remembered, that “ the conduct of these associators was not more “ execrated, than the intolerant principle, to which “ they owed their union and action, was con-“ demned by the sound and eminent divines, both “ of the established church and of the dissenters.

“ On the 2d of June, the grand division of asso-“ ciators being drawn off, by different routes, from “ the rendezvous of St. George’s-fields, filled the “ ways, through which they marched in ranks, “ with a multitude which excited wonder and “ alarm. Having arrived at the place of their “ destination, and filled up all the streets and ave-“ nues to both houses, they began the exercise of “ the new authority, derived from their numbers, “ only by compelling the members, as they came “ down, to cry out, ‘ no popery;’ to wear blue “ cockades; and some, as it is said, to take an “ oath to contribute all in their power to the re-“ peal of the new law, or, as they called it, the “ popery act. But, upon the appearance of the “ archbishop of York, and other of the prelates and “ court lords, their rage and violence were in-

“ creased to the highest pitch. During this dreadful tumult, which continued, with more or less interruption, for some hours, the archbishop, the duke of Northumberland, the lord president of the council, with several others of the nobility, including most or all of the lords in office, were treated with the greatest indignities. The bishop of Lincoln, in particular, most narrowly escaped with his life; first, by being suddenly carried into a house, upon the demolition of his carriage, and then being as expeditiously led through, and over its top, into another. Lord Stormont's life was also in the most imminent danger; and he was only rescued, after being half an hour in their hands, by the presence of mind and address of a gentleman who happened to be in the crowd.

“ It would be impossible to describe the astonishment, sense of degradation, horror, and dismay, which prevailed in both houses. Attempts were twice made to force their doors; and were repelled by the firmness and resolution of their door-keepers and other officers. In this scene of terror and danger, the resolution and spirit with which a young clergyman,—who acted as assistant, or substitute, to the chaplain of the house of commons, rebuked the outrage of the mob, and told their leader, in their presence, that he was answerable for all the blood that would be shed; and all the other fatal consequences that might ensue,—merited some other reward, besides mere applause.

“ In the mean time, the author, mover, and  
“ leader of the sedition, having obtained leave, in  
“ the house of commons, to bring up the petition,  
“ afterwards moved for its being taken into imme-  
“ diate consideration. This brought on some de-  
“ bate ; and the rioters being in possession of the  
“ lobby, the house were kept confined, for several  
“ hours, before they could divide upon the  
“ question. The impediment being at length re-  
“ moved, by the arrival of the magistrates and  
“ guards, the question was rejected, upon a divi-  
“ sion, by a majority of one hundred and ninety-  
“ two to six only, by whom it was supported.—  
“ During this time, lord George Gordon frequently  
“ went out to the top of the gallery-stairs, from  
“ whence he harangued the rioters, telling them  
“ what passed in the house ; that their petition  
“ would be postponed ; that he did not like delays ;  
“ and repeating aloud the names of gentlemen,  
“ who had opposed the taking it into consideration  
“ under their present circumstances ; thus, in fact,  
“ holding them out as obnoxious persons, and  
“ enemies, to a lawless and desperate banditti.

“ The house of commons have been much cen-  
“ sured, for the want of resolution and spirit, in  
“ not immediately committing, upon the arrival of  
“ the guards at night, their own member to the  
“ Tower, who had, by so shameful a violation of  
“ their privileges, involved them in a scene of such  
“ unequalled danger and disgrace. It has even  
“ been said, that a measure of such vigour, might  
“ have prevented all the horrid scenes of confla-

“gration, plunder, military slaughter, and civil execution, that afterwards took place: and it has been argued, from the passive conduct of the mob, some years ago, upon the committal of the lord mayor, Crosby, and of alderman Oliver, to the Tower, that it would not have been attended with any ill consequence.

“It is, however, to be remembered, that danger is considered in a very different manner by those who are entirely out of its reach, and even by the same persons, under its immediate impression. The circumstances were likewise widely and essentially different. Religious mobs are, at all times, infinitely more dangerous and cruel than those which arise on civil or political occasions. What country has not groaned under the outrages and horrors of fanaticism? or where have they ever been quelled but in blood? This mob was much more powerful and numerous, as well as dangerous, than any other in remembrance. The force of the associates was, on that day, whole and entire, which it never was after. The intense heat of the weather, which necessarily increased their inebriation, added fire to their religious fury; and rendering them equally fearless and cruel, no bound could have been prescribed to their enormities.

“The situation of the lords was still worse than that of the commons. Besides that the malice of the rioters was pointed more that way, they were not under the restraint of any application to them for redress. The appearance of the

“ lords, who had passed through their hands,  
“ every thing about them in disorder, and their  
“ clothes covered with dirt, threw a grotesque air  
“ of ridicule upon the whole, which seemed to  
“ heighten the calamity. A proposal was made to  
“ carry out the mace; but it was apprehended,  
“ that peradventure it might never return. In a  
“ word, so disgraceful a day was never beheld  
“ before, by a British parliament.

“ In the midst of the confusion, some angry  
“ debate arose, the lords in opposition charging  
“ the ministers with being themselves the original  
“ cause of all the mischiefs, that had already, or  
“ might happen, by their scandalous and cow-  
“ ardly concessions to the rioters in Scotland;  
“ and, at the same time, calling them loudly to  
“ account, for not having provided for the present  
“ evil, of which they had so much previous notice,  
“ by having the civil power in readiness for its  
“ prevention. To this it was answered, by a noble  
“ earl in high office, that orders had been given,  
“ on the preceding day, for the attendance of the  
“ magistrates; but two of those gentlemen, who  
“ happened to be in the way, being sent for and  
“ examined, declared they had neither heard of,  
“ nor received, any such order.

“ Before the rising of the house of commons;  
“ several parties of the rioters had filed off, and pro-  
“ ceeded to the demolition of the chapels, belong-  
“ ing to the Sardinian and Bavarian ministers.  
“ The commons adjourned to the sixth; but the  
“ lords met on the following day; and agreed to

“ ‘ a motion for an address,’ made by the lord president, ‘ requesting his majesty to give immediate orders for prosecuting, in the most effectual manner, the authors, abettors, and instruments of the outrages committed the preceding day, both in the vicinity of the houses of parliament, and upon the houses and chapels of several of the foreign ministers.’ On the sixth, above two hundred members of the house of commons had the courage, notwithstanding the dreadful conflagrations and mischiefs of the two preceding nights, the destruction threatened to several of themselves, in their persons and houses, and which had already fallen upon the house of sir George Saville, in Leicester-fields, to make their way through the vast crowds which filled the streets; and which were interlaced and surrounded by large detachments of the military on foot and on horseback. They found Westminster-hall, and the avenues to the house, lined with soldiers; upon which, a celebrated member observed in his speech, bewailing the deplorable situation to which parliament was reduced, that they had a bludgeoned mob waiting for them in the street, and a military force, with fixed bayonets, at their doors, in order to support and preserve the freedom of debate.

“ They, however, passed some resolutions; one, being an assertion of their own privileges; the second, for a committee to inquire into the late and present outrages; and for the discovery of their authors, promoters, and abettors; the third,

“ for a prosecution by the attorney-general ; and  
“ the fourth, an address to his majesty, for the re-  
“ imbursement of the foreign ministers, to the  
“ amount of the damages they had sustained by  
“ the rioters. Another resolution was moved by  
“ the minister, for proceeding immediately, when  
“ the present tumults were subsided, to take into  
“ due consideration the petitions from many of his  
“ majesty’s protestant subjects. Intelligence be-  
“ ing received of the conflagrations, which were  
“ commenced in the city, it threw every thing into  
“ new confusion ; and a hasty adjournment took  
“ place.

“ Some of the lords likewise met, but the impro-  
“ priety of their proceeding upon any public busi-  
“ ness, in the present tumult, and surrounded by a  
“ military force, being taken into consideration,  
“ and an account arriving, at the same time, that  
“ the first lord of the admiralty, in his way to the  
“ house, had been set upon, wounded, and his life  
“ only critically saved, by the military, they ad-  
“ journed to the 19th.

“ Never did the metropolis, in any known age,  
“ exhibit such a dreadful spectacle of calamity  
“ and horror ; or experience such real danger,  
“ terror, and distress, as on the following day and  
“ night. It is said, that, it was beheld blazing, in  
“ thirty-six different parts, from one spot. Some  
“ of these conflagrations were of such a magnitude,  
“ as to be truly tremendous. Of these, the gaol of  
“ Newgate, the King’s Bench prison, the new Bride-  
“ well in St. George’s-fields, the Fleet prison, and

“ the houses and great distilleries of Mr. Langdale  
“ in Holborn, where the vast quantity of spirituous  
“ liquors increased the violence of the flames to a  
“ degree, of which no adequate conception can be  
“ formed, presented spectacles of the most dreadful  
“ nature. The houses of most of the roman-catho-  
“ licis were marked; and many destroyed or burned;  
“ as well as those of the few magistrates, who  
“ showed any activity in repressing those tumults.  
“ The outrages grew more violent, and general,  
“ after the breaking open of the prisons.

“ The attacks, made that day, upon the Bank,  
“ roused the whole activity of the government.  
“ Great bodies of forces had, for some time, been  
“ collecting from all parts. They were at length  
“ employed, and brought on the catastrophe of that  
“ melancholy night which followed. Strong de-  
“ tachments of troops being sent into the city, and  
“ the attempts on the Bank, and other places, re-  
“ newed, a carnage then inevitably ensued, in which  
“ a great number of lives were lost. Nothing could  
“ be more dismal than that night. Those who  
“ were on the spot, or in the vicinity, say, that the  
“ present darkness, the gleam of the distant fires,  
“ the dreadful shouts in different quarters, the  
“ groans of the dying, and the heavy, regular,  
“ platoon firing of the soldiers, formed altogether a  
“ scene so terrific and tremendous, as no descrip-  
“ tion, or even imagination, could possibly reach.  
“ The metropolis presented on the following  
“ day, in many places, the image of a city recently  
“ stormed and sacked; all business at an end,

“ houses and shops shut up; the Royal Exchange,  
“ public buildings, and streets possessed and occu-  
“ pied by the troops; smoking and burning ruins;  
“ with a dreadful void and silence, in scenes of the  
“ greatest hurry, noise, and business.

“ The house of commons met on the following  
“ day; but, although the rioters were entirely  
“ quelled, it was immediately noticed, that the city  
“ of Westminster was under martial law; and they  
“ accordingly adjourned to the 19th. On the  
“ afternoon of the same day, lord George Gordon  
“ was taken into custody, at his house in Welbeck-  
“ street, and conveyed to the Horse-guards; and,  
“ after a long examination before several lords of  
“ the privy council, he was, between nine and ten  
“ in the evening, conducted, (under the strongest  
“ guard that ever was known to attend any state  
“ prisoner), to the Tower, where he was committed  
“ to close confinement.”

It is needless to pursue the consequences of this  
afflicting event:—It should, however, be mentioned,  
that lord George Gordon was tried for his life and  
acquitted; that several others were tried and con-  
demned, but that the most guilty only were exe-  
cuted: Under the provisions of the act of George  
the first, several roman-catholics recovered the  
amount of their losses from the county.

Those who wish to see all that philosophy and  
eloquence can say on this singular and melancholy  
event,—or on the general subject of the penal laws  
against the roman-catholics, or on the repeal of  
those laws, will find it in the “speech of Mr.

“ Burke, at the Guildhall, in Bristol, to the electors  
“ of that city, upon certain points relative to his  
“ parliamentary conduct,—published by him in  
“ 1782.” A more able or more sincere advocate,  
the roman-catholics never had. No orator could  
ever pronounce on himself a more eloquent or a  
more dignified, and, at the same time, a more  
merited panegyric than that, with which Mr. Burke  
closes this address ; perhaps, the most beautiful  
specimen, that is extant, of modern eloquence.

“ And now, gentlemen, on this serious day,  
“ when I come, as it were, to make up my account  
“ with you, let me take to myself some degree of  
“ honest pride, on the nature of the charges that  
“ are against me. I do not here stand before you,  
“ accused of venality, or of neglect of duty. It is  
“ not said, that in the long period of my service,  
“ I have, in a single instance, sacrificed the slightest  
“ of your interests to my ambition, or to my for-  
“ tune. It is not alleged, that, to gratify any anger  
“ or revenge of my own, or of my party, I have  
“ had a share in wronging or oppressing any de-  
“ scription of men, or any one man, in any descrip-  
“ tion. No! the charges against me are all of one  
“ kind, that I pushed the principles of general  
“ justice and benevolence too far ;—farther, than  
“ a cautious policy would warrant; and farther,  
“ than the opinions of many would go along with  
“ me.—In every accident which may happen  
“ through life ; in pain, in sorrow, in depression,  
“ and distress, I will call to mind this accusation,  
“ and be comforted.”

While the riots were at the highest, some persons recommended to his late majesty a repeal of the act which had passed for the relief of the catholics in 1778; it is said that the queen supported this recommendation by her entreaties; but his majesty rejected it, and desired it not to be repealed. A petition for the repeal had been circulated, but obtained very few signatures: the late Dr. Priestley, in a sensible and animated publication\*, showed its unreasonableness and inexpediency.

---

### CHAP. LXXVIII.

#### THE SOCINIANs,—UNITARIANS,—DEISTS,— FRENCH PHILOSOPHERS.

WE have given some account of the successive reformations of the established creed by the latitudinarians, by the low-church men, and by Hoadley and his disciples: the subject now leads us to notice, I. The Socinians: II. The Unitarians: III. The Deists: IV. And the French Philosophers. V. We shall then mark the reception of the French emigrants in this country.

\* “ A free Address to those who have petitioned for the  
“ Repeal of the late Act of Parliament in favour of the Roman-  
“ catholics.”

## LXXVIII. 1.

*The Socinians.*

THE reformation had scarcely dawned, before some persons secretly promulgated antitrinitarian opinions.

The first of these was Martin Cellarius, a native of Stutgard, in 1499 ; John Campanus, who maintained the same doctrine, was his contemporary, and is better known. Soon afterwards, the celebrated Michael Servetus, an Arragonese, published his first work on the Trinity\* : it produced a powerful sensation among the leaders of the reformation : they all openly professed their abhorrence of its doctrines. Undismayed by their clamours, he published a second work†, of the same tendency, and afterwards his last and most celebrated work, intituled “Christianity Restored‡.” By the treachery of a person employed in printing it, several sheets of this work fell into the possession of Calvin. He forwarded them to the inquisition at Lyons, with an intimation that Servetus was the author of them, and that he was in the neighbourhood of the inquisitor. Upon this information, Servetus was arrested, and thrown into prison, but soon effected his escape and wandered to Geneva.

\* “ De Trinitatis Erroribus, libri septem, per Michaelem Servetum, alias Reves, ab Aragonia, Hispanum, 1531,” 8vo.

† “ Dialogorum de Trinitate, libri duo :” “ De justitia Regni Christi, capitula quatuor, 1532,” 8vo.

‡ “ Christianismi Restitutio, 1553,” 8vo.

There, he was recognized, and, at Calvin's instigation, committed to prison : he was afterwards sentenced by the council to be burned alive ; and the sentence was executed with circumstances that aggravated his sufferings. Calvin never denied or disguised the part which he took in this transaction : it was defended by Beza\*.

Still, the antitrinitarians increased : particularly in the Italian territories bordering on Germany. Meetings of them are said to have been held at Vicenza, a small town in the Venetian state ; the inquisition seized several who attended these meetings, and put some of them to death : others escaped into Switzerland, Moravia, Poland, and Transylvania : they found catholics and protestants equally hostile to them : the most eminent of the wanderers were John Valentine Gentilis, who was tried for his heresy and beheaded at Berne, and Lælius Socinus. The latter concealed his opinions and lived peaceably at Zurich : there he died, and left many controversial writings. Faustus Socinus, his nephew, possessed himself of them, and imbibed their principles : this became generally known, and he was obliged to quit Zurich. He settled in Transylvania : there, and in Poland, his disciples obtained a legal settlement.—In 1658, they were banished for ever from the state by a solemn act of the diet :

\* In his celebrated treatise “ *De Hereticis a civili Magistratu puniendis*, 1554, 8vo.”—Beza also advocated the severe measures of the magistrates of Zurich against the celebrated Ochin : Bayle exposes the futility of Beza's arguments, in a happy mixture of ridicule and reasoning. Art. Ochin, note 2.

but they have always preserved their Transylvanian settlement.

They hold Christ, though the son of Mary, to have been born of her without a father, by the extraordinary power of God: and, as such, to be, though in a qualified sense, truly God, and entitled to worship.

#### LXXVIII. 2.

##### *The Unitarians.*

FROM the socinians, the unitarians differ principally in this,—that while they consider Christ as a teacher sent of God, and afterwards raised by him from the dead, they hold him to have been a mere man.

The founder of them appears to have been Francis David, a divine of great learning and eloquence at Coloswar. After having been successively a roman-catholic, a lutheran, and a calvinist, he settled finally in unitarianism. He was persecuted by the trinitarian divines of Hungary. At a meeting of the state, they denounced him to the prince, and concluded a long address to him in these words:—“ We, this day, by virtue of our office, cite “ thee, O thou illustrious prince, the keeper of both “ tables, with thy consort, thy children, and all thy “ posterity, before the tribunal of the awful judge, “ Jesus Christ, whom this man has blasphemed,— “ if thou suffer him to live.”—The prince, probably with a view to evade the scandalous requisition,

condemned David to close confinement: after a short time, he died in prison\*.

The socinian exiles from Poland dispersed themselves into the adjacent provinces, and penetrated into Denmark, Holstein, Holland, France, and England. The celebrated Jurieu discovered, that, before the close of the seventeenth century, socinianism abounded in the United Provinces, and that the dispersion of the French hugonots, in consequence of the edict of Nantes, had revealed to the terrified reformers of the primitive schools, the alarming secret of the preponderance of socinianism in the reformed churches of France†. In our times, d'Alembert proclaimed the socinianism of Geneva; the defence of the Genevan pastors rather confirmed than weakened the charge.

“ The socinians in England,” says Dr. MacLaine ‡, “ have never made any figure as a community: but “ have rather been dispersed among the great variety “ of sects that have arisen in a country, where liberty “ displays its most glorious fruits, and at the same “ time exhibits its most striking inconveniences.”

\* What has been said on socinianism, has been from the historical sketch prefixed by Mr. Rees to his “ Racovian “ Catechism, with notes and illustrations, translated from the “ Latin, 8vo. 1818.”

† See the fourteenth book of Bossuet’s “ History of the “ Variations.” He avails himself with great skill of the confessions and lamentations of his antagonist.

‡ In his translation of Mosheim’s “ History of the Church,” vol. v. p. 55, note R.R.

Unitarianism has been more successful : in the reign of Charles the first, and during the protectorate, the famous John Biddle maintained, both in public and in private, the unitarian system, and at length established an unitarian congregation in London : there, since this time, it has been always on the increase. The unitarians have now several congregations; a society for promoting christian knowledge and the practice of virtue by the distribution of books, and a fund for sending missionaries to preach their doctrines over England\*. Probably also, we may say of them, what Mr. Gibbon† says of the arminians, that “they must “ not be computed from their separate congrega-“ tions.”

## LXXVIII. 3.

*The Deists.*

THE first disciples of modern infidelity appeared among the classical enthusiasts of Italy. Thence, they passed into France, and made a settlement, from which they have never been dislodged. Bayle's Dictionary operated as a signal to call them into action: the writings of Voltaire enlisted thousands; the Encyclopédie embodied them; after this, it was too evident, that in France the new opinions had, in every order, too many friends.

In England, sir Walter Raleigh was suspected of infidelity; and, about the same time, lord Herbert

\* See Mr. Lindsay's “View of Unitarianism.”

† “History of the Decline and Fall of the Roman Empire,” ch. 54.

of Cherbury published two works, in which, if he did not absolutely deny the divine origin of the gospel, he maintained that it was not absolutely necessary to the salvation of mankind;—unhappily, he had a multitude of followers, and few imitated his reserve.

The deists profess to believe a God, but show no regard to Jesus Christ, and consider the doctrine of the apostles and evangelists as fables and dreams. They profess a regard for natural religion; some acknowledge, some deny a future state\*.

In France, Julius Cæsar Vanini, in Holland, Benedict Spinoza, professed atheism. In England, it was professed by Toland, who would have disgraced any creed; and we are sorry to add, by one at least, whom science loves to name—an historian often cited in the preceding pages.

#### LXXVIII. 4.

##### *The French Philosophers.*

IF we are to judge of the public mind in France by its appearances at the time of the revolution, atheism was much more common there than in England; and the attacks on revealed religion had been conducted in it with a degree of concert and co-operation, unknown in this country. The leaders acquired the appellation of the French Philosophers.

\* The reader will be pleased with the “*Histoire critique du Philosophisme Anglois*, by the Abbé Tabaraud,” 8vo. 1816.

Their objects and their labours are thus described by one of themselves \*.

" There was a class of men, which soon formed  
" itself in Europe, with a view not so much to dis-  
" cover and make deep research after truth, as to  
" diffuse it ; whose chief object was to attack pre-  
" judices, in the very asylums where the clergy,  
" the schools, the governments, and the ancient  
" corporations had received and protected them ;  
" and who made their glory to consist rather in  
" destroying popular error, than extending the  
" limits of science : this, though an indirect  
" method of forwarding its progress, was not, on  
" that account, either less dangerous or less useful.

" Assuming every tone and every shape, from  
" the ludicrous to the pathetic, from the most  
" learned and extensive compilation to the novel,  
" or the petty pamphlet of the day, covering truth  
" with a veil, which sparing the eye, that was too  
" weak, incited the reader's curiosity by the plea-  
" sure of letting him surmise what was meant, in-  
" sidiously caressing prejudice in order to strike  
" it with more certainty and effect ; seldom me-  
" nacing more than one at a time, and then only  
" in part, sometimes flattering the enemies of rea-  
" son, by seeming to ask but for a half toleration  
" in religion, or a half liberty in polity ; respecting  
" despotism, when they impugned religious absur-  
" dities, and religion when they attacked tyranny ;  
" combating these two pests in their principles,

\* Condorcet:

“ though apparently inveighing against ridiculous  
“ and disgusting abuses ;—striking at the root of  
“ those pestiferous trees, whilst they appeared only  
“ to wish to lop the straggling branches ; at one  
“ time marking out superstition, which covers des-  
“ potism with its impenetrable shield, to the friends  
“ of liberty, as the first victim which they were to  
“ immolate, the first link to be cleft asunder ; at  
“ another, denouncing religion to despots as the  
“ real enemy of their power, and frightening them  
“ with its hypocritical plots and sanguinary rage ;  
“ but indefatigable when they claimed the inde-  
“ pendence of reason and the liberty of the press,  
“ as the right and safeguard of mankind —inveigh-  
“ ing with enthusiastic energy against the crimes  
“ of fanaticism and tyranny, reprobating every  
“ thing which bore the character of oppression,  
“ harshness, or barbarity, whether in religion, ad-  
“ ministration, morals, or laws ; commanding kings,  
“ warriors, priests, and magistrates, in the name of  
“ nature, to spare the blood of men ; reproaching  
“ them in the most energetic strain with that, which  
“ their policy or indifference prodigally lavished  
“ on the scaffold or in the field of battle ; in fine,  
“ adopting reason, toleration, and humanity, as  
“ their signal and watchword.

“ Such was the modern philosophy, so much de-  
“ tested by those numerous classes, whose very  
“ existence was drawn from prejudices ;—its chiefs  
“ had the art of escaping vengeance, though exposed  
“ to hatred ; of hiding themselves from persecu-

“tion, though sufficiently conspicuous to lose “nothing of their glory.”

It would, however, be a great injustice to confound together, all the writers, whose works have contributed to the French revolution. They may be divided into three classes :—under the first, may be ranked those, who were satisfied with pointing out to sovereigns, the duties, which they owe to their subjects, and the motives which religion and reason suggest to excite sovereigns to a faithful discharge of them. These writers, though by making subjects feel their rights, they co-operated remotely in producing the general ferment which led to the revolution, are not only free from blame, but are entitled to the thanks of mankind. Such were Fénélon and Massillon : the general duties of a sovereign, the wickedness and infamy of an oppressive, extravagant, and voluptuous reign, are nowhere more eloquently, more pathetically, or more forcibly exposed than in the Telemachus of the former, or the *Petit Carême* of the latter. So much was this the case, that, during the contests of Lewis the fifteenth with the parliaments, large editions of the *Petit Carême* of Massillon were repeatedly printed and circulated throughout the kingdom.

The same, (if allowance be made for some indiscreet expressions), may be said of Montesquieu ; and he had the additional merit of pointing out the general revolution of opinion which the diffusion of knowledge had produced, and was every day pro-

ducting in France, and the necessity of appeasing it by the sacrifice of some abuses. Those, who are acquainted with that great man's writings, must be surprised to see him ranked among the conspirators against monarchy.

The general body of writers called the French Philosophers, then come for consideration; they may be divided into two classes,—at the head of one we may place Voltaire, at the head of the other, Rousseau.

From a settled plan, and even a serious wish of overturning the monarchy, justice requires us to acquit the former: a slight limitation of the arbitrary power of the crown, and the privileges of the nobility, would have satisfied him: but the utmost he would have left to the church, was a decent maintenance for her ministers.—On the other hand, Rousseau thought mankind could not be happy till every distinction of rank was abolished, and property was held in common.

In the different assemblies each of these classes of writers had their disciples. The venerable bishop of Arles, the bishops of Clermont and Nancy, and a few more of the royalists, may be reckoned among the disciples of Fénélon and Massillon: M. Malouet, M. Mounier, M. Lally, and the general body of monarchists and constitutionalists, may be reckoned among the disciples of Voltaire: the abbé Sieyes, Danton, Marat, Robespierre, and the general body of jacobins, may be reckoned among the disciples of Rousseau.

When the hour of action came, the spirit of the masters appeared in their disciples. Like Fénelon and Massillon, the bishop of Arles, and the royalists of his character, thought it a sacrilege to touch either the altar or the throne. Like Voltaire, the Malonets, Mouniers, and Lallys, wished much alteration in the church, and some in the state; but like him, they wished these alterations effected without violence; and were ready to fly at the first beat of a democratic drum:—to use an expression attributed to Mirabeau, they wished une révolution à la Grandison.—The jacobins despised halfreforms and half measures; they thought nothing would be quite right till the church and state were destroyed, and the golden year should arrive, when, according to the expression attributed to Diderot, the last king should be strangled with the bowels of the last priest.—In the schemes of the jacobins, the monarchists and constitutionalists unfortunately co-operated; but it was unintentionally; they were the first to appeal to the people; but their appeal was certainly accepted beyond their wishes.

Of all the charges, which have been brought against the catholic religion, that, which required the greatest intrepidity, was, its being the cause of the French revolution.—So far was this from the fact, that Mirabeau, than whom no one most assuredly was better acquainted either with the means or aim of the revolutionists, expressly declared, that before the revolution could be effected, France must be uncatholiced, *il faut premièrement déchristianiser la France*. In conformity with this opinion,

the religious persecution which ensued, was solely directed against the catholic clergy and laity. The writer does not recollect the name of a single person, professing a conscientious adherence to that religion, who was actively engaged in the revolutionary measures : Necker, Chenier, Barnave, Emeri, Rabaud, were not catholics \*.

### LXXVIII. 5.

#### *Reception in England of the French persecuted Clergy.*

THE writer has attempted to give, in his Historical Memoirs of the Church of France †, some account of the massacres and banishment of the French nonjuring clergy. To this we beg leave to refer our readers.

Towards the end of the month of August 1792, the national assembly of France passed a decree, which ordered that all ecclesiastics, who had not taken the civil oath,—an oath, which no conscientious and well-informed ecclesiastic could lawfully take,—or who, having taken it, had retracted it, should within the term of eight days quit their dioceses, and, within the term of fifteen, leave the kingdom, under pain of imprisonment for ten years.

This decree, the massacres of the second and third of the following September, the subsequent massacres, a subsequent decree of deportation, and

\* See “ Les véritables Auteurs de la Révolution de France, “ de 1789, à Neufchâtel, 8vo. 1797.”

† Ch. xvii.

finally, the French invasion of Holland, where large numbers of the lay emigrants and deported priests had taken refuge, occasioned the arrivals of them, in large numbers, in England; so that, in the end, the number of deported priests exceeded eight thousand; and that of lay emigrants, exceeded two thousand; we may add to them, the foreign and English nuns who took refuge in this country.

At the respectable and afflicting spectacle, which so many sufferers for conscientious adherence to religious principle, presented, the English heart showed all its worth. A general appeal to the public was resolved upon. The late Mr. John Wilmot, then member of parliament for the city of Coventry, took the lead in this work of beneficence. The plan of it was concerted by him, Mr. Edmund Burke, and sir Philip Metcalfe. An address to the public was accordingly framed by Mr. Burke, and inserted in all the newspapers. It produced a subscription of 33,775*l.* 15*s.* 9*½d.* This ample sum, for a time, supplied the wants of the sufferers. At length, however, it was exhausted; and in the following year, another subscription was set on foot. The venerable name of king George the third, appeared first on this list. This subscription amounted to the sum of 41,304*l.* 12*s.* 6*½d.* But this, too, was exhausted.

The measure of private charity being thus exceeded, parliament interposed; and from December 1793, voted annually a sum for the relief of the ecclesiastic and lay emigrants. This appears, by an account which the writer received from Mr.

Wilmot, to have reached, on the 7th day of June 1806, the sum of 1,864,825*l.* 9*s.* 8*d.* The management of these sums was left to a committee, of which Mr. Wilmot was the president; and the committee confided the distribution of the succours of the clergy, to the bishop of St. Pol de Léon. A general scale for the distribution of the succours was fixed: the bishops and the magistracy received an allowance somewhat larger than others; but the largest allowance was small; and none was made to those who had other means of subsistence. The munificence of parliament did not, however, suspend the continuance of private charity. Individual kindness and aid accompanied the emigrants to the last. Here, the writer begs leave to mention an instance of the splendid munificence of the late earl Rosslyn, then chancellor of England. It was mentioned at his lordship's table, that the chancellor of France was distressed, by not being able to procure the discount of a bill, which he had brought from France. "The chancellor of England," said lord Rosslyn, "is the only person to whom the chancellor of France should apply to discount his bills." The money was immediately sent; and, while the seals remained in his hands, he annually sent a sum of equal amount to the chancellor of France.

At Winchester, at Guildford, and in other places, public buildings were appropriated for the accommodation of the clergy. In the hurry in which they had been forced to fly, many of them had been obliged to leave behind them their books

of prayer. To supply, in part, this want, the university of Oxford printed for them two thousand copies of the Vulgate version of the New Testament, from the edition of Barbou; and the late marquis of Buckingham printed an equal number of copies, of the same sacred work, at his own expense.

Every rank and description of persons exerted itself for their relief. There is reason to suppose, that the money contributed for this honourable purpose, by individuals, whose donations never came before the public eye, was equal to the largest of the two subscriptions which have been mentioned. To the very last, Mr. John Wilmot continued his kind and minute attention to the noble work of humanity.—It adds incalculably to its merit, that it was not a sudden burst of beneficence: it was a cool, deliberate, and systematic exertion, which charity dictated, organized, and continued for a long succession of years; and which, in its last year, was as kind, as active, and as energetic, as in its first.

Among the individuals who made themselves most useful, one unquestionably holds the first place. “At the name,” says the abbé Barruel, “of Mrs. Dorothy Silburn, every French priest raises his hand to heaven, to implore its blessings on her.” The bishop of St. Pol took his abode in her house; and it soon became the central point, to which every Frenchman in distress found his way. It may easily be conceived, that great as were the sums appropriated for the relief of the French clergy,

the number of those, who partook of them, was so large, as to make the allowance of each a scanty provision even for bare subsistence; so that all were obliged to submit to great privations, and, from one circumstance or other, some were occasionally in actual want. Here, Mrs. Silburn interfered. Where more food, more raiment, more medicine, than the succours afforded, were wanted, it was generally procured by her, or her exertions. Work and labour she found for those who sought them. The soothing word, the kind action, never failed her.—All the unpleasantness which distress unavoidably creates, she bore with patience. Her incessant exertions she never abated.—The scenes thus described by the writer, he himself witnessed: and all who beheld them, felt and remarked, that much of the success, and the excellent management, which attended the good work, was owing to her.—To use the expression of a French prelate, “the “glory of the nation, on this occasion, was increased by the part which Mrs. Silburn acted in “it.”—On the final closing of the account, his majesty was graciously pleased to show his sentiments of her conduct, by granting to her an annual pension of 100*l.* for her life: never was a pension better merited.

On the other hand, the conduct of the objects of this bounty was most edifying. Thrown, on a sudden, into a foreign country, differing from theirs in language, manners, habits, and religion, the uniform tenor of their decorous and pious lives obtained for them universal regard. Their attachment to

their religious creed, they neither concealed nor obtruded. It was evidently their first object to find opportunities of celebrating the sacred mysteries, and of reciting the offices of their liturgy. Most happy was he, who obtained the cure of a congregation ; or who, like the abbé Caron, could establish some institution, useful to his countrymen. Who does not respect feelings, at once so respectable and so religious ? Hence flowed their cheerfulness and serenity of mind, above suffering and want. "I saw them," a gentleman said to the writer of these pages, "hurrying, in the bitterest "weather, over the ice of Holland, when the "French invaded that territory. They had scarcely "the means of subsistence ; the wind blew, the "snow fell ; the army was fast approaching ; and "they knew not where to hide their heads, yet "these men were cheerful." They did honour to religion ;—and the nation, that so justly appreciated their merit, did honour to itself.

The lay emigrants were chiefly composed of the provincial nobility. Their willing exertions to increase their small subsistence were truly honourable. With this view, magistrates became preceptors ; painting, drawing, and music were taught by ladies, who, in happier hours, had learned them for ornament ; the son refused no occupation, which gave him the means of assisting his parent ; the daughter was the maid of all work to her family. It is surprising how soon they qualified themselves, in one form or other, for useful employments : none

thought that a disgrace, which attachment to his king, or love of his religion, made necessary.

Having mentioned the edifying conduct of the French deported clergy, and French emigrant laity, during this dreadful æra of the revolution, it remains to make a similar short mention of the conduct of the emigrant nuns. The pious tenor of their conventual lives has been faithfully described by the rev. Mr. John Fletcher, the roman-catholic pastor of Weston-Underwood, in Buckinghamshire, in the third of his learned, elegant, and instructive Sermons on various religious and moral subjects, a work expressing the doctrine and morality of the gospel, in the mild attractive language of St. Francis of Sales.

When the hour of trial came, the conduct of these pious recluses was uniformly edifying. On every occasion, they exhibited the greatest patience and fortitude, and an unconquerable adherence to principles. The French philosophers had unceasingly predicted, that the doors of the convents would be no sooner opened, and their inmates legally emancipated from their vows, than they would rush to freedom, marriage, and dissipation. Of this, there was hardly an instance; while the conduct of an immense majority invariably showed how sincerely they despised both the blandishments and the terrors of the world which they had quitted. Some of them braved persecution, and even death itself, in its most hideous form. On one occasion, the fatal cart conveyed the superior of a convent, and all her

claustral family, to the guillotine. In the road to it, they sung, in unison, the litanies of the Virgin Mary. At first, they were received with curses, ribaldry, and the other usual abominations of a French mob. But it was not long before their serene demeanour and pious chaunt subdued the surrounding brutality ; and the multitude attended them in respectful silence to the place of execution. The cart moved slowly,—all the while, the nuns continued the pious strain : when the cart reached the guillotine, each, till the instrument of death touched her, sustained it. As each died, the sound became proportionally weaker : at last, the superior's single note was heard, and soon was heard no more. For once, the French mob was affected ; in silence, and apparently with some compunctionous visitations, they returned to their homes.

Throughout their dispersion, the nuns retained, undiminished, their attachment to their religious rule. Whenever opportunity offered, they formed themselves into bands for its observance ; and the insulated individual seldom failed to practise it, to the utmost of her power. Sometimes, by succession or heirship, or from some other circumstance, wealth came in their way, but their spare diet, seclusion from the world, and regular prayer, continued ; and, what was not necessary to supply their wants of the first necessity, was charitably distributed.

That this picture of their conduct is not exaggerated, all must acknowledge, who have seen the religious communities, to whom the incomparable

munificence of this country afforded an asylum. No one has seen them, without being edified by their virtues, at once amiable and heroic;—few, without acknowledging their happiness.—Their resignation to the persecution, which they so undeservedly suffered, their patience, their cheerfulness, their regular discharge of their religious observances, and, above all, their noble confidence in Divine Providence, have gained them the esteem of all who have known them. At a village near London, a small community of carmelites lived, for several months, almost without the elements of fire, water, or air. The two first (for water, unfortunately, was there a vendible commodity), they could little afford to buy; and, from the last, (their dress confining them to their shed), they were excluded. In the midst of this severe distress, which no spectator could behold unmoved, they were happy. Submission to the will of God, fortitude and cheerfulness, never deserted them. A few human tears would fall from them, when they thought of their convent; and with gratitude,—the finest of human feelings,—they abounded. In other respects, they seemed of another world:—“Whatever with-  
“ draws us,” says Dr. Johnson, “from the power  
“ of our senses; whatever makes the past, the  
“ distant, or the future, predominate over the pre-  
“ sent, advances us in the dignity of rational be-  
“ ings.” It would be difficult to point out any, to whom this observation can be better applied, than these venerable ladies,—any, who are more withdrawn from the power of the senses; over

whose lives, the past, the distant, and the future, more predominate, or over whom the present has less influence.

---

## CHAP. LXXIX.

PRINCIPAL PUBLIC MEN:—STATE OF THE PUBLIC MIND AT THE TIME OF THE APPLICATION OF THE CATHOLICS FOR THE BILL OF 1791:—APPLICATIONS TO PARLIAMENT FOR A REPEAL OF THE LAWS REQUIRING THE SUBSCRIPTION OF THE THIRTY-NINE ARTICLES.

BEFORE we proceed to relate the applications of the catholics to parliament for further relief, the subject seems to require, or at least to allow, that the writer should present his readers with a succinct view, I. Of the principal public men: II. And of the general state of the public mind, at this period, in respect to religious liberty, in consequence of the Bangorian controversy and the disputes on the confessional: III. And of the attempts which had been made by the protestant dissenters to obtain a repeal of the corporation and test acts.

## LXXIX. 1.

*Principal public Men at this period.*

LORD NORTH was, at this time, the prime minister: his eloquence was so far an æra in the British senate, that what, in respect to the orators

of Rome, is observed by Velleius Paterculus of Cicero, may be said of Lord North,—that no “ English senator will be entitled to be ranked “ among orators, whom Lord North did not see, or “ who did not see Lord North.”

Of those by whom he was preceded, none probably, except lord Chatham, will be remembered by posterity. It was frequently given to the writer of these pages to hear the speeches, both in the house of commons and the house of lords, of this extraordinary man. No person in his external appearance was ever more bountifully gifted by nature for an orator. In his look and his gesture, grace and dignity were combined, but dignity presided ; the “ terrors of his beak, the lightning of his eye,” were insufferable. His voice was both full and clear ; his lowest whisper was distinctly heard, his middle tones were sweet, rich, and beautifully varied ; when he elevated his voice to its highest pitch, the house was completely filled with the volume of the sound. The effect was awful, except when he wished to cheer or to animate ; and then, he had spirit-stirring notes, which were perfectly irresistible : he frequently rose, on a sudden, from a very low to a very high key, but it seemed to be without effort. His diction was remarkably simple, but words were never chosen with greater care ; he mentioned to a friend of the writer that he had read twice, from beginning to end, *Bailey's Dictionary* ; and that he had perused some of Dr. Barrow's sermons so often as to know them by heart. His sentiments were apparently simple ; but sentiments

were never adopted or uttered with greater skill ; he was often familiar and playful, but it was the familiarity and playfulness of condescension,—the lion dandling with the kid. The terrible, however, was his peculiar power.—Then the whole house sunk before him.—Still, he was dignified ; and wonderful as was his eloquence, it was attended with this most important effect, that it impressed every hearer with a conviction, that there was something in him finer even than his words ; that the man was infinitely greater than the orator : no impression of this kind was made by the eloquence of his son, or his son's antagonist.

But,—with this great man,—for great he certainly was,—manner was every thing.—One of the fairest specimens, which we possess of his lordship's oratory, is his speech, in 1766, for the repeal of the stamp act\*.

“ *Annuit, et nutu totum tremefecit Olympum.* ”  
VIRGIL.

Most perhaps, who read the report of this speech, in Almon's Register, will wonder at the effect which it is known to have produced on the hearers ; yet the report is exact. But they should have seen the look of ineffable contempt with which he surveyed the late Mr. Grenville, who sat within one of him, and should have heard him say, with that look,—“ as to the late ministry,—every capital measure “ they have taken, has been entirely wrong.”—They should also have beheld him when, addressing him-

\* Almon's Debates, vol. vii.

self to Mr. Grenville's successors, he said,—“ as to  
“ the present gentlemen, to those, at least, whom I  
“ have in my eye,—(looking on the bench on which  
“ Mr. Conway sat), I have no objection: I have  
“ never been made a sacrifice by any of them.—  
“ Some of them have done me the honour to ask my  
“ poor opinion, before they would engage to repeal  
“ the act:—they will do me the justice to own, I  
“ did advise them to engage to do it,—but notwith-  
“ standing,—(for I love to be explicit),—I cannot  
“ give them my confidence.—Pardon me, gentlemen;  
“ —(bowing to them),—confidence is a plant of slow  
“ growth.” Those who remember the air of con-  
descending protection, with which the bow was  
made, and the look given, when he spoke these  
words, will recollect how much they themselves at  
the moment were both delighted and awed, and  
what they themselves then conceived of the im-  
measurable superiority of the orator over every  
human being that surrounded him.—In the pas-  
sages, which we have cited, there is nothing which  
an ordinary speaker might not have said; it was  
the manner, and the manner only, which produced  
the effect\*.

The catholic question came into the house of  
lords in the time of lord Chatham, and he gave it

\* The “Memoirs of Lord Waldegrave,” with which the public  
have been lately favoured, contain two letters of Lord Holland,  
the contemporary and opponent of lord Chatham, which de-  
scribes, in a manner equally lively and accurate, the nature and  
effect of his oratory, and seem to confirm the account given  
of it by the writer.

his support.—In the speech, which we have mentioned, he had said—“ I have no local attachments: “ it is indifferent to me, whether a man was rocked “ in his cradle on this side or that side of the “ Tweed.” When the catholic bill of 1778 was in the house of lords, he might have been asked, “ if it were not indifferent to his lordship or the “ state, whether a man was rocked in a catholic or “ protestant cradle, provided he be a good sub-“ ject:” we may conjecture what would have been his lordship’s reply\*.

\* The whole speech, from which these citations are made, is very fine: “ I sought for merit,” said lord Chatham, “ wherever it was to be found. It is my boast, that I was the “ first minister who looked for it; and I found it in the moun-“ tains of the north. I called it forth and drew it into your ser-“ vice,—a hardy and intrepid race of men. Men, who, when “ left by your jealousy, became a prey to the artifices of your “ enemies, and had gone nigh to have overturned the state, “ in the war before the last. These men, in the last war, “ were brought to combat on your side; they served with “ fidelity, as they fought with valour, and conquered for you “ in every part of the world. Detested be the national pre-“ judices against them! they are unjust, groundless, illiberal, “ unmanly.—When I ceased to serve his majesty as minister, “ it was not the *country* of the man by which I was moved:— “ but the *man* of that *country* wanted *wisdom*, and held princi-“ ples incompatible with freedom.”

His celebrated reply to Horace Walpole has been immortalized by the report given of it by Dr. Johnson.—On one occasion, Mr. Moreton, the chief justice of Chester, a gentleman of some eminence at the bar, happened to say, “ king, lords, and commons,” or,—(directing his eye towards lord Chatham,)—as that right honourable member would call them, “ commons, lords, and king.”—The only

A very expressive word in our language,—which describes an assemblage of many real virtues, of

fault of this sentence is its nonsense.—Lord Chatham arose,—as he ever did,—with great deliberation, and called to order: “ I have,” he said, “ frequently heard in this house, doc-“ trines which have surprised me; but now, my blood runs“ cold! I desire the words of the honourable member may“ be taken down.” The clerks of the house wrote the words. “ Bring them to me,” said Mr. Pitt, in a voice of thunder. By this time, Mr. Moreton was frightened from his senses.—“ Sir,” he said, addressing himself to the Speaker, “ I am sorry“ to have given any offence, to the right honourable member“ or the house: I mean nothing. King, lords, and commons,“ —lords, king, and commons,—commons, lords, and king;“ tria juncta in uno.—I meant nothing!—Indeed I meant“ nothing.”—“ I dont wish to push the matter further,” said lord Chatham, in a voice a little above a whisper:—then, in a higher tone,—“ the moment a man acknowledges his“ error, he ceases to be guilty.—I have a great regard for the“ honourable member, and as an instance of that regard, I“ give him this advice:”—a pause of some moments ensued—then, assuming a look of unspeakable derision,—he said in a kind of colloquial tone,—“ Whenever that member means“ nothing, I recommend him to say nothing.”

On one occasion, while he was speaking, sir William Young called out “ question, question!”—Lord Chatham paused,—then, fixing on sir William a look of inexpressible disgust,—he exclaimed,—“ pardon me, Mr. Speaker, my agi-“ tation:—when that member calls for the question, I fear I“ hear the knell of my country’s ruin.”

On another occasion, immediately after he had finished a speech in the house of commons, he walked out of it; and, as usual, with a very slow step. A silence ensued, till the door was opened to let him into the lobby. A member then started up, saying, “ I rise to reply to the right honourable“ member.”—Lord Chatham turned back, and fixed his eye on the orator,—who instantly sat down: then his lordship

many qualities approaching nearly to virtue, and an union of manners at once pleasing and com-  
returned to his seat, repeating as he hobbled along, the verses of Virgil :

“ Ast Danaum progenes, Agamemonisque phalanges,  
“ Ut videre virum, fulgentiaque arma per umbras,  
“ Ingenti trepidare metu,—pars vertere retro,  
“ Seu quondam petiere rates,—pars tollere vocem  
“ Exiguam,—inceptus clamor frustratur hiantes.”

Then placing himself in his seat,—he exclaimed, “ Now let me hear what the honourable member has to say to me.” On the writer’s asking the gentleman, from whom he heard this anecdote,—if the house did not laugh at the ridiculous figure of the poor member?—“ No, sir,” he replied, “ we were all too much awed to laugh.”

When the Prussian subsidy, an unpopular measure, was in agitation in the house of commons, lord Chatham justified it with infinite address: insensibly he subdued all his audience; and a murmur of approbation was heard from every part of the house. Availing himself of the moment, his lordship placed himself in an attitude of stern defiance, but perfect dignity, and exclaimed in his loudest tone,—“ Is there an Austrian among you?—let him reveal himself.”

But the most extraordinary instance of his command of the house, is, the manner in which he fixed indelibly on Mr. Grenville, the appellation of “ the gentle shepherd.” At this time, a song of Dr. Howard, which began with the words “ Gentle shepherd tell me where,”—and in which each stanza ended with that line,—was in every mouth.—On some occasion, Mr. Grenville exclaimed, “ Where is our money? Where are our means? I say again, Where are our means? Where is our money?”—He then sat down,—and lord Chatham paced slowly out of the house, humming the line, “ Gentle shepherd tell me where.”—The effect was irresistible; and settled on Mr. Grenville the appellation of “ the gentle shepherd.”

A gentleman mentioned some of these circumstances to the late Mr. Pitt: the minister observed that they were proofs of

manding respect,—the word “gentleman,”—was never applied to any person in a higher degree, or more generally, than it was to lord North, and to all he said and did in the house of commons. His lordship did not aspire to the higher eloquence, but the house never possessed a more powerful debater: nor could any one avail himself of the strong part of his cause with greater ability, or defend its weaker with greater skill; no speaker was ever so conciliating, or enjoyed in a higher degree the esteem and love of the house. Among his political adversaries, he had not a single enemy. With an unwieldy figure and a dull eye, the quickness of his mind seemed intuition. “I,”—lord Sandwich once said to the writer,—“must have ‘pen and ink, and write down, and ruminate: give his father’s ascendancy in the house; but that no specimens remained of the eloquence by which that ascendancy was procured.—The gentleman recommended to him to read slowly his father’s speeches for the repeal of the stamp act; and, while he repeated them, to bring to his mind, as well as he could, the figure, the look, and the voice, with which his father might be supposed to have pronounced them. Mr. Pitt did so, and admitted the probable effect of the speech thus delivered.

In private intercourse, lord Chatham, though always lofty, was very insinuating. He cultivated the muses through life. Mr. Seward’s Anecdotes contain an imitation by him of the ode of Horace, “*Tyrrhena regum progenies*,” which shows a very classical mind. He also translated the speech of Pericles, as it stands in Smith’s version of Thucydides: this, through one person only, came to the writer of these pages, from Mr. Pitt.

We have two characters of lord Chatham; one is attributed to Mr. Grattan; the other was certainly written by Mr. Wilkes.

“ lord North a bundle of papers, and he'll turn “ them over and over,—perhaps while his hair is “ dressing,—and he instantly knows their contents “ and all their bearings.” His wit was never surpassed, and it was attended with this singular quality, that it never gave offence, and the object of it was sure to join with pleasure in the laugh.— The assault of Mr. Adam on Mr. Fox, and of colonel Fullarton on lord Shelburne, had once put the house into the worst possible humour, and there was more or less of savageness in every thing that was said:—lord North deprecated the too great readiness to take offence, which then seemed to possess the house.—“ One member,” he said, “ who “ spoke of me, called me that thing called a mi-“ nister:—to be sure,”—he said, patting his large form,—“ I am a thing;—the member, therefore, “ when he called me a thing, said what was true; “ and I could not be angry with him: but, when “ he added, that thing called a minister, he called “ me, that thing, which of all things, he himself “ wished most to be, and therefore,” said lord North, “ I took it as a compliment.”—These good-natured sallies dropped from him incessantly.— On his resignation, he should have retired: many things, which may be defended, cannot be applauded: the coalition between his lordship and Mr. Fox was of this description.

From some papers which have been received by the writer from Mr. William Sheldon, through whose hands the application of the catholics to parliament in 1778 entirely passed, it appears that lord

North received it in the most favourable manner, and promised it the utmost support in his power. He said,—“at first be satisfied with any thing. “The great object is to make a breach in the wall “of intolerance.—Do this, and if you act with prudence, and are not too much in a hurry, you’ll “certainly get on.” In 1791, he was equally favourable to the catholics:—“Mind, however,” he frequently said, “up to the test act, I go—and “no further.”—“But, my lord,” we used to answer, “if an opening in it is made in favour of others, “you’ll let us in too.”—To this, he seemed willing to agree.

The catholics never had a better friend than Mr. Fox. On his first separation from the ministry he assumed the character of a whig, and from that time, uniformly advocated the cause of civil and religious liberty, on their broadest principles.

Almost the whole of his political life was spent in opposition to his majesty’s ministers. It may be said of him, as of lord North, that he had political adversaries, but no enemy. Good-nature, too easily carried to excess, was one of the distinctive marks of his character. In vehemence and power of argument he resembled Demosthenes; but there the resemblance ended. He possessed a strain of ridicule and wit, which nature denied to the Athenian, and it was the more powerful as it always appeared to be blended with argument and to result from it. The moment of his grandeur was when, after he had stated the argument of his adversary, with

much greater strength than his adversary had done, and with much greater strength than any of his hearers thought possible, he seized it with the strength of a giant, and tore and trampled on it to destruction. If, at this moment, he had possessed the power of the Athenian over the passions or the imaginations of his hearers, he might have disposed of the house at his pleasure,—but this was denied to him ; and on this account, his speeches fell very short of the effect, which, otherwise, they must have produced.

It is difficult to decide on the comparative merit of him and Mr. Pitt ; the latter had not the vehement reasoning, nor the argumentative ridicule of Mr. Fox : but he had more fire, more imagery, and much more method and discretion. In addition, he had the command of bitter contemptuous sarcasm, which stung to madness. It was prettily said by Mr. Gibbon to the writer,—“ Billy’s painted “ galley will soon sink before Charles’s black “ collier :”—but never did horoscope prove more false.—Mr. Fox said more truly,—“ Pitt will do “ for us, if he does not do for himself.”

Both orators were verbose ; Mr. Fox by his repetitions, Mr. Pitt by his amplifications. This, and the next session, were remarkable for being the commencement of the debates on the French revolution. These revealed to the world the want of political wisdom of each orator :—one discovering it by his total misconception of the nature of the revolution, which he thought an ordinary war ; the other, by indulging in an inconsiderate language, by which

he scared many wise and good men from his party.—Mr. Grattan observed to the writer,—and he believes the observation just,—that no one heard Mr. Fox to advantage, who did not hear him before the coalition; or Mr. Pitt, who did not hear him before he quitted office. Each defended himself on these occasions with astonishing ability: but each felt he had done something that required defence: the talent remained, the mouth still spoke aloud, but the swell of the soul was no more. The situation of these eminent men, at this time, put the writer in mind of a remark of Bossuet on Fénelon.—“Fénelon,” he said, “has great talents; greater than mine, but it is his misfortune to have brought himself into a situation, in which all his talents are necessary for his defence.”

The most astonishing display of talent by Mr. Pitt, was, when the catholic bill was first agitated after his return to office. Narrow, and short, was the only plank, on which he could stand: but there he placed himself; and he defended himself upon it with such ease and adroitness, that he was seldom touched by his antagonists; and had often the posture of a successful assailant.

Greatly inferior to either of these extraordinary men, if we are to judge of him by his speeches, as they were spoken,—but greatly superior to each, if we are to judge of him by his speeches, as they were published, Edmund Burke, was through life the advocate, the warm, the powerful advocate of the catholic cause. Estimating him by his written speeches, we shall find nothing comparable to him,

till we reach the Roman orator. Equal to that great man in dialectic, in imagery, in occasional splendour, and in general information ; exceeding him in political wisdom, and the application of history and philosophy to it, he yields to him in grace and taste. He never lost an opportunity of recommending the catholics to the favour of the public. It may be doubted, whether, without the aid of his eloquence, either of the bills for our relief would have passed\*.

\* In familiar conversation, the three great men, whom we have mentioned, equally excelled : but even the most intimate friends of Mr. Fox complained of his too frequent ruminating silence. Mr. Pitt talked ;—and his talk was fascinating ; a good judge said of him, that he was the only person he had known who possessed the talent of condescension. Yet his loftiness never forsook him ; still one might be sooner seduced to take liberties with him, than with Mr. Fox. Mr. Burke's conversation was rambling, but splendid, rich, and instructive beyond comparison.

Public opinion at home and abroad, seems to have pronounced against Mr. Pitt's politics and war ; and, on the supposition that a war with France was necessary, in favour of the system recommended by Mr. Burke. But,—in advocating his own system, Mr. Burke seems not to have attended sufficiently to his own representations of the selfish temporising views of the continental powers, on whose energetic and public spirited co-operation, the success of his plans depended altogether. It must therefore be lamented, that the system of peace recommended by Mr. Fox was not adopted. It may be thought probable, that, if France had been left to herself, the occupations of agriculture and commerce, and the pursuits of literature and science, would have been continued, would insensibly have resumed their sway, cooled the public effervescence, and introduced moderation into the national councils.—An uninterrupted series of writers of this country, of

Such were the leading men, and such their dispositions towards the catholics, at the time of which we are speaking.

## LXXXIX. 2.

*State of the public Mind at this time :—Gradual Relaxation and final Repeal of the Penal Laws in France against the Protestants :—Progress of Civil Liberty in England in consequence of the Bangorian Controversy,—and the Confessional :—Favourable Result to the Claims of the Catholics.*

1. THE French revolution was now rapidly advancing. It was considered at first, even by some persons of sense and discernment, as an harbinger of good. They did not sufficiently reflect on the greatdegree of happiness, which the world actually enjoyed, on the great probability of its regular increase, or on the chance of its being altogether lost by the proposed innovations.

It was particularly imagined that these would be propitious to religious liberty.—This had made a considerable progress in most parts of the continent: even in *Spain*, it began to dawn, and the rigours of the inquisition were greatly softened.

*In France*, the condition of the protestants was materially ameliorated. Some unjustifiable attempts had been made by them at the commencement of the regency which followed the death of Lewis the fourteenth: they were repressed; a few of the transcendent powers, commenced with Spencer, and ended in Mr. Burke: by its duration and splendour, it far surpasses any literary era in ancient or modern Europe.

most guilty agitators were punished ; but the court was so little disposed to proceed with severity against the general body, that, soon afterwards, it was seriously debated in council, whether the edict of Nantes should not be re-enacted. The council declared for the negative ; but, from this time, the penal provisions against the protestants were seldom carried into execution ; and, towards the middle of the last century, the practical toleration of them in France was—with a single exception,—complete ; but this exception was of the greatest moment, as it regarded their marriages. The law rendered invalid all marriages, that were not solemnized according to the rites of the church of Rome. To these, the protestants, in consequence of their religious principles, could not conscientiously conform. The consequence was, that, in the eye of the law, protestant parents lived in a state of concubinage, and protestant children were illegitimate. Lewis the sixteenth, to his immortal honour, communicated, by his edict of the 17th of November 1787, to all his non-catholic subjects, the full enjoyment of all the rights of his subjects of the catholic religion.

2. *In England*, the progress of religious liberty had been great, but silent : we have noticed the advocacy of it by the latitudinarian divines ; and, on a still broader ground, by Hoadley and his disciples. These systematized the principles of their master. With their latitudinarian predecessors, they avowed, that the Bible, and the Bible only, was the religion of the protestants ; but if we inquire what article of faith, what religious ordinance, was,

in their opinion, so clearly deducible from the Bible, as to render the belief or observance of it necessary to salvation, we shall soon discover the scantiness of their creed, and be inclined to apply to them, what Badius said of Erasmus, that, "he " rather knew what he should fly from, than what " he should follow." Their expressions were guarded; but the ultimate tendency of their doctrine seems to lead to these conclusions: I. The church and the state are equally derived from God, the author of every good and perfect gift: II. Any number of persons, who are persuaded that Jesus was sent of God, who are sincerely desirous of obeying his laws, who hope for salvation by obedience to them, and who agree to unite in public assemblies for the performance of religious duty, is a christian church; and every christian church thus formed, has a right to delegate to any persons, under any names, and with any powers, (revelation being silent on these points, and tradition wholly out of the question), an authority to superintend and regulate its economy and observances. Such a church may also expel from it those, who disobey either its original constitutions, or the ordinances made under its authority:—still, every such christian church is subject to the controul of the state.—All this is in direct opposition to the articles of the church of England. These assign to the church, the power to decree rites and ceremonies\*, an authority in controversies of faith; they also teach that the orders of her ministers have descended from the apostles, and are appointed by

\* Art. xx.

God ; that the powers given them, in ordination, are communicated to them by the Holy Ghost ;—and that episcopacy is of Divine institution \* : III. The sacraments are defined by the church of England † to be effectual signs of the grace which God of his free will dispenses to us, and by which he works invisibly in us. In opposition to this definition, the disciples of Hoadley maintained that the sacraments were mere signs or declarations of future salvation, and had no efficient power : hence they considered baptism, not as a rite essential to salvation, but as a profession of christianity by the person who is baptized, or by others on his behalf ; and the eucharist, not as a rite in which the body and blood of Christ “ are verily and in- “ deed received ‡ ,” but as a pious memorial of the passion and death of Christ, and an indication of the party’s acceptance of christian redemption by this symbolic ceremony. IV. The doctrines of the trinity and the incarnation, so solemnly propounded by the church of England, were ranked by the disciples of Hoadley among speculative questions. V. They considered that, when the clergy declare their unfeigned assent to the thirty-nine articles, they express no more than an assent to the use of them, according to any interpretation which, in their candid and deliberate judgment, they should put on them,—and with full liberty to impugn them, except officially, as from the pulpit : VI. And finally,—they explicitly maintained that the sin-

\* Form of ordination.      † Art. xxv.

‡ Catechism in the book of Common Prayer.

cerity of a christian believer is of much greater consequence than the soundness of his opinions.

We have noticed the success of Hoadley in the Bangorian controversy: his disciples pursued the triumph, and drew over to them so large a proportion of the established church, that a reform of the reformation took place in it, and removed those, who adopted the new belief, further from the primitive reformers, than these had removed themselves from their catholic ancestors.

3. The disciples of Hoadley then expected to enjoy the fruits of their victory without molestation: but a formidable antagonist arose, who declared war equally against them and the established church. Seizing from each its strongest holds, and abandoning its less tenable passes, *the author of the Confessional*, equally in unison with the high church, and in opposition to the school of Hoadley, declared for the independence of the ecclesiastical on the temporal powers. In conformity with Hoadley, he rejected the serious belief of the thirty-nine articles, and announced, that the Bible, and the Bible only, in the strictest sense of these words, was the religion of the protestants; but he condemned the mental reservation of the Hoadleyans in the subscription of confessions and formularies of faith; and maintained that they could not be conscientiously subscribed, without a sincere belief of the truth of the doctrines, which they were intended by the framers of them to express.

This gave rise to a new controversy:—public opinion seems to have decided it in favour of the

Confessional: yet the thirty-nine articles are still universally signed, but rather as a formulary of peace, than a confession of faith. Thus a further reform of the reformation, and of course a still further removal of the members of the church of England from its first founders, have been effected.

Ultra reforms of a similar nature have taken place in most protestant churches on the continent. Speaking generally, they have carried those who have adopted them, as far from the founders of their church as from the church of Rome. As further removals from the true faith, they are lamented by catholics; but it is difficult for them to observe, without some complacency, the completion of the prophecies of their ancestors on the ultimate tendency of the reformation.

4. Both civil and religious liberty, and, with these, *the claim of the catholics* to each, gained considerably, both by the Bangorian controversy, and by the disputes produced by the Confessional. The former led, as we have already mentioned, to discussions, which brought Hoadley and his disciples, and even their antagonists, to admit, that, whatever might be the errors justly chargeable on any creed, the professors of it were entitled to an equal participation of the civil blessings of the constitution, unless mischievousness of moral or political principle were justly imputable to them. This was equally admitted in the controversy on the Confessional. Availing themselves of this important admission, the catholics called on their adversaries to show, what principle, morally or

politically reprehensible, or of such a tendency as should prevent their participation, equally with his majesty's other subjects, in the blessings of the British constitution, was justly imputable to them.

It soon appeared that no such principle was justly chargeable on them, unless the supremacy which they attribute to the pope affected their civil allegiance. When this was urged against the catholics, they observed that the supremacy was merely of a spiritual nature, and that it authorized the pope neither to legislate in temporal concerns, nor to enforce his spiritual legislation by temporal power. To this statement, the adversaries of the catholics opposed many instances, in which the popes had claimed, under their divine commission, a right to exercise temporal power in spiritual concerns;—and they cited a multitude of catholic authors, some of whom were truly respectable, by whom the papal pretension had been acknowledged and advocated.

The instances thus adduced of papal pretension to temporal power, the catholics generally admitted; but, when they made this admission, they explicitly declared, that the popes acted on these occasions against divine and human right; and that their title to the temporal power thus claimed by them, was not an article of their faith. They afterwards proceeded further:—and, in 1778, as we shall mention in a future page of this work, they took an oath, by which they not only disclaimed this papal pretension as an article of faith,—but rejected it altogether.

In respect to the writers who asserted it,—and generally in respect to every writer of their communion, in whom any objectionable tenet of any description could be found, the catholics adjured their adversaries to observe, in all their controversies with them, these rules,—“ 1st, That no “ doctrines should be ascribed to them as a body, “ except such as were articles of faith ;—2d. That “ the catholics deem nothing to be an article of “ their faith, unless it has been delivered by Divine “ revelation, and propounded as such by the “ church.” They proclaimed, that, whatever other opinions could be adduced against them, though they were the opinions of the fathers of the church—still they were but matters of opinion, and that a catholic might disbelieve them, and yet continue catholic. They pointed out the works in which the articles of faith were to be found,—the Creed of pope Pius the fourth, the council of Trent, its Catechism, and Bossuet’s Exposition.

These declarations made a considerable sensation in favour of the catholics. It was also afterwards favourable to them, that, in consequence of the act, which passed for their relief, in 1778, they mixed more with their protestant brethren, and, becoming better known to them, dissipated their anticatholic prejudices.

Still, to a certain extent,

*Manserunt veteris vestigia ruris.*

The effects of a defamation of two centuries could not be undone in a moment.

## LXXIX. 3.

*Applications to Parliament for a Repeal of the Laws  
requiring Subscriptions of the Thirty-nine Articles.*

IN July 1762, a point of extreme importance to the protestant dissenters, came on for trial at Guildhall. It has been shown, that the corporation act incapacitates dissenters refusing to qualify, in the manner which it prescribed, from holding offices in corporations: but the act did not prevent their eligibility to such offices. In some instances, dissenters were elected to them, and refused to serve in them, and therefore became liable to the penalty of a fine. The payment of it was sometimes dispensed with, but it was sometimes exacted.

At the time, of which we are now speaking, Mr. Allen Evans, having been chosen sheriff of the city of London, and having refused to serve, was fined; and, upon his neglecting to pay the fine, the city brought an action against him to recover it. The case was elaborately argued before lord chief baron Parker, Mr. justice Foster, Mr. justice Wilmot, and Mr. justice Bathurst. All of them were of opinion that, under the circumstances, in which the act had placed them, the dissenters were not eligible to the office. The case was heard on appeal, in February 1767, in the house of lords; and, on the motion of lord Mansfield, the cause was adjudged unanimously in favour of the dissenters.

This determination raised the hopes of the dissenters; but objections to the subscription of the

thirty-nine articles were not confined to them. In 1772, several clergymen, and some gentlemen belonging to the professions of the civil law and physic,—all members of the established church,—assembled at the Feathers tavern in Cheapside, and invited by public advertisement in the papers, all, who thought themselves aggrieved in the matter of subscription, to join them in an application to parliament for relief. The petition was respectably signed: two hundred and fifty of the petitioners were clergymen of the established church.

They represented in the petition, that it was one of the great principles of the protestant religion, that everything necessary to salvation was fully and sufficiently contained in the holy scriptures; that christians have an inherent right, which they hold from God only, to make a full and free use of their private judgment in the interpretation of the scriptures; that, though these were the liberal and original doctrines of the church of England, and the grand principle upon which the reformation was grounded, still, there had been a deviation from them, in the matter of subscription, which deprived them of this invaluable right,—by obliging them to acknowledge, that certain articles and confessions of faith and doctrine, drawn up by fallible men, were, all and every of them, agreeable to the scriptures.

The petitioners particularly complained, that, at the first admission or matriculation, as it is termed, of scholars in the universities, they were obliged, at an age too immature for disquisitions and deci-

sions of such moment, to subscribe their unfeigned assent to a variety of theological propositions, which they had not judgment to comprehend; and upon which it was impossible for them to form a just opinion.

The petition being presented, a motion was made for taking it into consideration: the house of commons divided seventy-one for it, two hundred and seventeen against it.

However unfavourable to the cause of the dissenters, this result appeared, they conceived the weight of argument to have been evidently so much on their side, that they procured a bill for their relief to be brought into the house of commons in the same sessions. A high church party opposed it with great earnestness; but the general sense of the house was so strong in favour of the dissenters, and an inclination to extend the blessings of toleration was so great on each side of the house, that the motion was carried without a division. But the house of lords was actuated by a different feeling,—there, the bill was thrown out by a great majority, twenty-nine lords supporting it, one hundred and two lords opposing it.

In 1789, the matter was again brought into the house of commons, by a motion of Mr. Beaufoy, “for a committee to take into consideration, so “much of the test and corporation acts as related “to protestant dissenters.” On a division, one hundred and two votes were for the motion, one hundred and twenty-two against it.

The small majority on this division against the

dissenters could not but raise their hopes ; but it equally increased the alarm and the activity of their opponents ; and unfortunately the violence of some leading men among the petitioners furnished their adversaries with powerful arms against them.

On the 2d of March 1790; Mr. Fox brought the subject before the house of commons, at the fullest meeting of that house, which had, for some time, been assembled. The petition of the dissenters had been placed in his hands, and it is an important event in the history of the English catholics, that it was framed in terms, which embraced persons of their communion. This brought their grievances under the eye of the legislature. Mr. Fox displayed on this occasion, more than his usual powers of oratory ; his motion was the same as that of Mr. Beaufoy ; but he distinctly avowed that his object was to effect a total repeal both of the corporation and the test act, and he rested the merits of his cause on the broadest principles of religious liberty. He was seconded by sir Henry Houghton : Mr. Pitt opposed the motion by a long and able speech. It was reducible to a syllogism,—that it was equally the right and duty of the supreme power of the state to exclude any description of men, who were hostile to an essential part of the constitution, from those situations, which would enable them to give effect to that hostility ; that the established church was an essential part of the British constitution, and that the dissenters were hostile to it :—therefore it was the right and duty of the state to exclude the dissenters from those situations, which would

enable them to injure the church, and consequently proper to continue the corporation and test acts in force against them, as these effected this exclusion. Mr. Pitt then noticed the intemperate proceedings of some of the dissenting leaders. Here, Mr. Burke came powerfully to his aid: he produced several documents, from which he professed to show, that many of the persons who styled themselves dissenters, in the petitions before the house, were indifferent to religion, that they held factious principles and entertained dangerous projects, and thus had the name without the substance of religion, the liberty without the temper of philosophy, and professed doctrines and were engaged in schemes at which the priest and the magistrate might equally tremble\*.

Mr. Fox replied to Mr. Pitt and Mr. Burke with great animation:—conceding to Mr. Pitt that it was the right and duty of the state to exclude men really dangerous, from situations conferring power, he contended that the dissenters entertained no designs, and had no object that was hostile either to the church or the state; and that, if they entertained such designs, or had any such objects, the oaths and rites prescribed by the corporation and test acts were not calculated to bring the integrity of their principles to a proper test; the designs and the objects imputed to them, being of a political, and the oaths and rites required from them, being of a religious nature.—This absurdity, as he termed it, of making a formula of religious faith a test of

\* Gibbon, Hist. ch. 54.

political integrity, Mr. Fox exposed with an astonishing power both of argument and ridicule: it was unknown, he said, in ancient history, and was a discovery in modern times, which did them no honour.—He concluded by a strong appeal to the good sense and candour of the house,—on the folly and injustice of deciding a great question of right and expediency, in which the general welfare of the kingdom and the individual interests of a large proportion of the community were equally concerned, by the conduct of a few unauthorized and unavowed individuals.

The house divided, one hundred and five for the motion, two hundred and four against it.

---

## C H A P. LXXX.

## HISTORICAL MINUTES RESPECTING THE IRISH CATHOLICS, TILL THE REVOLUTION.

IT was the wish of the writer of these pages, to insert in them, a full account of the principal events in the history of the catholics in Ireland, since the reformation; but, he was prevented by want of leisure and want of materials. While it was in his contemplation, he collected, from the best sources, which were within his reach, the following minutes: They may be found to contain;—Some miscellaneous information, I. On the state of the Irish, previously to the reign of Henry the second: II. On

their state between the reigns of Henry the second and Henry the eighth : III. On the condition of the Irish catholics in the reigns of Henry the eighth, Edward the sixth, and queen Mary : IV. On their condition in the reign of queen Elizabeth : V. On their condition under James the first : VI. On their condition during the first part of the reign of Charles the first : VII. On the massacre in 1641 : VIII. On the confederacy of the Irish catholics in 1642 : IX. On the interference of the pope's nuncio in the proceedings of the supreme council of the confederates : X. On the confiscations made by Cromwell ; and the arrangements of Charles the second respecting them : XI. On the Irish Remonstrance, or the Declaration of Allegiance, presented by several Irish catholics of distinction, to Charles the second, in 1661 : XII. On father Peter Walsh, he promoter and historian of the remonstrance : XIII. On the confiscation of Irish catholic property, in 1688 : XIV. And on the Irish brigade.

## LXXX. 1.

*State of the Irish before the reign of Henry the second.*

A CONSIDERABLE difference of opinion now prevails among the learned, respecting the early civilization and refinement of the Irish nation. At present, the tide of public opinion is unfavourable to them ; but the subject is far from being exhausted ; and the author conjectures, that further and more impartial discussion will lead to a different conclusion.

The learning, the piety, and the manners of our Saxon ancestors, before the invasion of the Danes, have, fortunately for their memory, and for our edification, been preserved by the venerable Bede:—such an historian of its early annals, appears to have been wanting to Ireland. It should also be noticed, that the confusion, which followed the Danish invasion of England, was terminated by the Norman conquest; the arts and sciences were always, from this time, in a progressive state of improvement; and those were never wanting, who investigated and transmitted to posterity, memorials of their own and of former times. During the same period, Ireland was divided into many states; and the chieftains lived in a continued state of predatory warfare. It may even be asserted, that, till the accession of James the first, the condition of Ireland, with the exception of the small part of it within the English pale, was nearly in the same state as that of England, from the invasion of the Danes, till the Norman conquest. The consequence was, that,—“to use the expression of an able writer,—“Few histories are so charged with fables, as the annals of Ireland\*.”—To separate the fabulous from the probable, and the probable from the certain, will therefore require no ordinary share of penetration and persevering industry; but there is great reason to conjecture that, whenever it shall be done, the result will be favourable to what has been suggested respecting the ancient civilization and

\* Mr. Plowden's Hist. Mem. vol. i. p. 21.

early literature of this very interesting but much abused country.

At all events, three circumstances are clear: 1st. The schools of Ireland were frequented by crowds of students from Britain, France, Flanders, and Germany.—Bede\*, informs his readers, that “many, both of their nobles and the low state, “left their country, and, either in search of sacred “learning, or a stricter life, removed to Ireland:” and that “the Irish most willingly received them, “took care to provide them with sustenance, sup-“port, and masters.” A most honourable testimony, as lord Littleton justly remarks, to the learning, hos-  
pitality, and bounty of the nation. Bede’s account is confirmed by the lines so well known, which Camden has quoted from the life of St. Sugenius, who flourished in the eighth century:

Exempli patrum, commotus amore legendi,  
Ixit ad Hibernos Sophiā mirabile clares.

2d. In the eighth and ninth centuries, the Irish clergy spread themselves over the greatest part of Europe, to convert the pagans, and instruct the unlettered christians. The instances produced by Mr. Plowden†, and by Dr. Milner†, place this beyond controversy§.

\* Lib. iii. s. 17.

† History of Ireland, vol. ii. p. 20, 21.

‡ “An Inquiry into the vulgar opinions concerning the Catholic Inhabitants and the Antiquities of Ireland,” letter ii.

§ See also Mr. Alban Butler’s Lives of the Saints, Murphy’s edition, iii. f76, note vii. 54. n. 165. ix. 58. xi. 247. ii. 238. vii. 54, note x. 54 ix. 37.

3d. "There happened," says Mr. Plowden\*, "about the year of our Lord 1418, a very notable transaction, which proved the high estimation in which the kingdom of Ireland then was, and ever had been holden by the learned of Europe. At the council of Constance, the ambassadors from England were refused the rank and precedence, which they claimed over some others; they were not even allowed to rank or take any place as the ambassadors of a nation: the advocates for France insisted, that the English having been conquered by the Romans, and again subdued by the Saxons, who were tributaries to the German empire, and never governed by native sovereigns, they should take place as a branch only of the German empire, and not as a free nation; for, added they, 'it is evident from Albertus Magnus and Bartholomew Glanville, that the world is divided into three parts, Europe, Asia, and Africa,'—(America had not then been discovered):—'Europe was divided into four empires, the Roman, the Constantinopolitan, the Irish, and the Spanish.' The English advocates, admitting the force of these allegations, claimed their precedence and rank from Henry's being monarch of Ireland only, and it was accordingly granted †."

\* Hist. vol. i. p. 22, n.

† O'Halleran's Hist. vol. i. p. 68.

## LXXX. 2.

*State of the Irish between the reign of Henry the second, and the reign of Henry the eighth.*

THE period, which next calls for attention, is that, which fills the space between the reign of Henry the second, and that of Henry the eighth. Here, the division of Ireland into the territory *within the pale*, and the territory *beyond it*, claims particular notice.

From the reign of Henry the second, until the reign of James the first, the real power and authority of the English monarch were confined to the counties of Dublin, Kildare, Meath, Lowth, Monaghan, and Armagh, and the cities of Waterford, Cork, and Limerick: these made the whole of the territory called *the pale*. Over the remaining part of Ireland, Henry the second, and his successors, until James the first, had little more than a nominal sovereignty. "England," says sir John Davies, "never sent over, either numbers of men, or quantities of treasure, sufficient to defend the small territory of the pale; much less, to reduce that, which was lost, or to finish the conquest of the whole island."—In the reign of Henry the eighth, Alan, the master of the rolls, in the representation, which, by the desire of the servants of the crown in Ireland, he made to Henry of the state of Ireland, reported, that "the English manners, language, and habits did not extend, and that his laws were not obeyed twenty miles

“ beyond the capital \*.” The common observation of the country was, that they, who dwelt, by west of the river Barrow, dwelt, by west of the law. The English government always refused to communicate the constitution and laws of England to the inhabitants of this territory ; treated them, both as aliens and foes, and wished them so to remain. “ It was,” says lord Clare, in his *printed speech on the 10th of February 1800*, “ the early policy of the English government to discourage all connexion of the colony with the native Irish ; the statute of Kilkenny, enacted in the reign of Edward the third, having prohibited marriage or gospisped † with the Irishry, or persons claiming the benefit of the Brehon law, by any person of English blood, under the penalties of treason. This statute was a declaration of perpetual war, not only against the native Irish, but against every person of English blood, who had settled beyond the limits of the pale, and from motives of personal interest or convenience, had formed connexions with the natives, or adopted their laws or customs.”

Hume observes\*, that “ most of the English institutions, by which Ireland was governed, were to the last degree absurd, and such as no state before had ever thought of, for preserving dominion over conquered provinces.—The small army, which they retained in Ireland, they never supplied regularly with pay ; and, as no money could be levied on the island, which possessed

\* Plow. Hist. vol. i. p. 51.      † i. e. Godfathership.

‡ Chap. 44.

“ none, they gave their soldiers the privilege of  
“ free quarter on the natives. Rapine and insol-  
“ lence inflamed the hatred which prevailed be-  
“ tween the conquerors and the conquered; want  
“ of security among the Irish, introducing despair,  
“ nourished still more the sloth natural to that un-  
“ cultivated people\*. But the English carried  
“ farther their ill-judged tyranny. Instead of  
“ inviting the Irish to adopt the more civilized  
“ customs of their conquerors, they even refused,  
“ though earnestly solicited, to communicate to  
“ them the privilege of their laws, and every where  
“ marked them out as aliens and as enemies.  
“ Thrown out of the protection of justice, the natives  
“ could find no security but in force; and flying  
“ the neighbourhood of cities, which they could  
“ not approach with safety, they sheltered them-  
“ selves in their marshes and forests, from the in-  
“ solence of their inhuman masters. Being treated  
“ like wild beasts, they became such; and joining  
“ the ardour of revenge to their yet untamed bar-  
“ bary, they grew every day more untractable and  
“ more dangerous.

“ As the English princes deemed the conquest  
“ of the dispersed Irish to be more the object of  
“ time and patience, than the source of military  
“ glory, they willingly delegated that office to  
“ private adventurers, who, enlisting soldiers at  
“ their own charge, reduced provinces of that  
“ island, which they converted to their own profit.

\* Who perform the greatest portion by far of the hardest  
and least remunerated labour of this country!

“ Separate jurisdictions and principalities were established by these lordly conquerors: the power of peace and war was assumed: military law was exercised over the Irish, whom they subdued, and, by degrees, over the English, by whose assistance they conquered: and after their authority had once taken root, deeming the English institutions less favourable to barbarous dominion, they degenerated into mere Irish, and abandoned the garb, language, manners, and laws of their mother country\*.”

## LXXX. 3.

*State of the Irish Catholics in the reigns of Henry the eighth, Edward the sixth, and queen Mary.*

No innovation was ever introduced into any country, which was more contrary to its constitution and laws, more repugnant to its principles or manners, or more distressing to the feelings of its inhabitants, than the parliamentary proceedings in

\* This assumption by the conquering leaders, of the territorial independence of the conquered chieftains, and the adoption, by the general body of the conquerors, of the language, the manners, the habits, and the feelings of the conquered, are very remarkable: the latter took place nearly in an equal degree, after the confiscations of James and Cromwell; but the difference of religion then strongly marked, and continued to distinguish the ancient inhabitants from the new settlers.

The Tartars adopted, on their conquest of China, the laws, customs, and manners of the natives: but there, the conquerors were barbarians, the conquered in a high state of civilization.

Ireland, for the establishment of the spiritual supremacy of HENRY THE EIGHTH.

By the statutes\*, which effected this measure, the king was declared supreme head on earth of the church of Ireland, in nearly the same words, and with nearly the same ulterior provisions, as those by which the English laws had conferred upon him the spiritual supremacy of the church of England.

Similar acts were also passed for the dissolution of religious houses in Ireland †; but these acts were confined to the religious houses in Tyrone, Tyrconnell, and Fermanagh; and the feelings of the nation prevented their being carried into execution: so that, until the reign of James the first, few of the religious houses were reduced into charge or surveyed, and the rest were continually possessed by the members of their respective orders ‡.

It may be truly said, that, with the single exception of the officers of the crown, and their immediate retainers, all these measures were in direct opposition to the universal sense of the kingdom.

An extraordinary measure was resorted to for securing in parliament the majority, by which these laws were carried. According to the established constitution of the Irish parliament, it was attended by two clergymen of each diocese. By

\* 28 Hen. VIII. c. 5, 6, 8, 26.

† 33 Hen. VIII.

‡ Leland, Hist. of Ireland, lib. iii, ch. 7. Hib. Dom. ch. xvii. s. 1.

an act passed in the session, by which the reformation was established, and which was declared to have a retrospective operation from the first day of the sessions, the clergymen so appointed were disqualified from voting.

These laws divided the nation into two parties; that, which acknowledged, and that which denied the spiritual supremacy of the monarch. "This," says lord Clare, in the speech which we have already quoted, "was the grand schism, which has "been the bane and pestilence of Ireland, and "rendered her a blank among the nations of "Europe."

2. "In the reign of EDWARD THE SIXTH," says Mr. William Parnell\*, "the government gave no "general cause of discontent to the catholics; "there were many particular severities and insults, "which laid the grounds of religious animosity. "Archbishop Brown made war against images and "relics with more zeal than prudence. The gar- "rison at Athlone, no very conciliating reformers, "were allowed to pillage the very celebrated "church of Clonmacanaise, and to violate the "shrine of a great favourite of the people, St. "Kieran.

"It was in the reign of Edward the sixth, that "the solid foundation of the succeeding rebellion "was first laid, by the confiscation of the lands of "Leix and Offalia, now the King and Queen's "county.

\* In his excellent "Historical Apology for the Irish Catholicks."

3. "In the reign of QUEEN MARY,—though  
 "the religious feelings of the Irish catholics, and  
 "their feelings as men, had been treated with very  
 "little ceremony during the two preceding reigns,  
 "they made a wise and moderate use of their as-  
 "cendancy. They entertained no resentment for  
 "the past; they laid no plans for future domi-  
 "nation.—The Irish roman-catholics bigots!!—  
 "—The Irish roman-catholics are the only sect,  
 "that ever resumed power, without exercising  
 "vengeance."

## LXXX. 4.

*State of the Irish Catholics during the reign of queen Elizabeth.*

THE reformation was completed by the statutes of supremacy and uniformity\*, passed in the second year of the reign of queen Elizabeth:—The following succinct account of them is given by Mr. Plowden†: "It was enacted, that the spiritual jurisdiction should be restored to the crown: that all the acts of queen Mary, by which the civil establishment of the roman-catholic religion had been restored, should be repealed; that the queen should be enabled to appoint commissioners to exercise ecclesiastical jurisdiction: that all officers or ministers, ecclesiastical or lay, should, on pain of forfeiture and total incapacity, take the oath of supremacy: that every person, as well as his aider, abettor, or counsellor, who

\* 2 Eliz. c. 1, 2.

† Hist. Rev. vol. i. p. 73.

“ should in any way maintain the spiritual supremacy of the bishop of Rome, should forfeit, for the first offence, all his estates, real and personal, (or be imprisoned for one year, if not worth 20*l.*), incur a *præmunire* for the second offence, and become guilty of high treason for the third offence: that the use of the common prayer should be enforced as in England: that every person should resort to the established church, and attend the new service, under pain of ecclesiastical censures; and of the forfeiture of 12*d.* for every offence, to be levied by the churchwardens, by distress of the lands or chattels of the defaulter; that the first fruits and twentieths of all church revenues should be restored to the crown; and the old writ and form of *congé d'élire* should be superseded by the king's letters patent, by which, in future, all collations to vacant sees should be made. These ordinances were followed by an act of recognition of the queen's title to the crown; and it was made a case of *præmunire* to speak, and treason to write against it.”

The effect of these laws is thus described by lord Clare\*: “In the reign of Elizabeth,” says his lordship, “a new reverse took place: the reformed liturgy was again enforced; the English act of uniformity was enacted, by the colonial parliament; and,—what seems to be a solecism in legislation,—in the body of the act, by which the use of the English liturgy, and a strict confor-

\* In the speech just quoted.

“ mity to it was enjoined, under severe penalties;  
“ a clause is introduced, reciting that English mi-  
“ nisters could not be found to serve in Irish  
“ churches; that the Irish people did not under-  
“ stand the English language; that the church  
“ service could not be celebrated in Irish, as well  
“ from the difficulty of getting it printed, as, that  
“ few in the whole realm could read: And what  
“ is the remedy?—If the minister of the gospel  
“ cannot speak English, he may celebrate the  
“ church service in the Latin tongue;—a language  
“ certainly as unintelligible to his congregation,  
“ as the English tongue, and probably not very  
“ familiar to the minister thus authorized to use  
“ it.”

Under the sun, there is nothing new!—When we read in Dr. Robertson \*, that the friar Valverde, advanced to the inca of Peru,—required him to forsake the creed of his fathers, and worship the God of the christians;—that reaching out his breviary, he told the inca, that all which he announced was certainly in that book,—and that, when the inca rejected it, a signal was given,—the inca was seized,—and his subjects massacred,—we are justly filled with astonishment and horror. But, when we read of a handful, comparatively speaking, of English adventurers, advancing to the Irish natives,—reaching out to them the act of uniformity, not a word of which they could read,—requiring them to adopt a liturgy, not a word of which they could understand;—and attempting to force their obe-

\* History of America, book vi.

dience by such severities, "that the least of them," to use the words of lord deputy Mountjoy, had "many times been sufficient to drive the best and most quiet states into confusion;"—may not some horror and astonishment be justly expected?

Several bishops, abbots, priests, and religious, were put to death; some of these were inhumanly tortured; others suffered to perish from want in prisons\*. Frequent acts of perfidy and cruelty were perpetrated on the natives. In the war of the Geraldines, the garrison of Smerwick, in Kerry, surrendered on capitulation, and was afterwards murdered in cold blood, under the eye of sir Walter Raleigh †. For this, and other services, that distinguished personage had forty thousand acres of land bestowed on him: these, he afterwards sold to the first earl of Corke ‡. Morryson mentions a massacre which was committed by the English at Mulloghmaston, on some hundreds of the most peaceable of the Irish gentry, invited thither on the public faith, and under the protection of government §: He says, that no spectacle was more frequent than multitudes of these victims of human cruelty lying unburied in the fields, exhibiting in their ghastly visages the colour of the weeds on which they fed, and children feeding on the dead bodies of their mothers ||. The account which Spencer gives of the massacres committed on the

\* Hib. Dom. c. xxvii. s. 5, 6. n. x; Curry's Hist. Rev. c. iii.

† Ibid. ‡ Carte's Life of Ormond, vol. i. p. 14.

§ Curry's Hist. Rev. c. iii.

|| Morryson, p. 274; Leland's Hist. vol. ii. p. 422.

people of Munster, presents the same picture.—  
“ Out of every corner of the woodes and glennes,  
“ they came creeping forth upon their hands, for  
“ legs could not bear them : they looked like ana-  
“ tomies of death: they spake like ghostes crying  
“ out of their graves ; they eat the dead carriions,  
“ happy when they could find them ; yea, and one  
“ another soon after, insomuch that the very car-  
“ cases they spared not to scrape out of their  
“ graves.”

Lord Clare, in the speech we have quoted, is silent on these cruelties, but expresses, in a few lines, his just opinion of the general injustice and impolicy of the system of government carried on by the ministers of queen Elizabeth in Ireland.  
“ It seems difficult,” says his lordship, “ to con-  
“ ceive any more unjust or impolitic act of govern-  
“ ment, than an attempt to force new modes of  
“ religion, faith, and worship, by severe penalties,  
“ upon a rude, superstitious, and embittered people.  
“ Persecutions, or attempts to force conscience,  
“ will never produce conversion : they are calcu-  
“ lated only to make hypocrites or martyrs ; and  
“ accordingly, the violence commenced by Eliza-  
“ beth, to force the reformed religion into Ireland,  
“ had no other effect than to foment a general dis-  
“ satisfaction to the English government.”

Relying on this general dissatisfaction, the Spanish army, under the command of general don Juan d'Aquila, landed at Kinsale, and expected to be joined by the whole mass of the catholic population beyond the pale: “ but no Irish of any

“ account,” says Morryson, “ joined him;” and thus the Spaniards, “ who,” as Leland writes\*, “ came with a vain hope of meeting a whole kingdom at their devotion, found themselves confined within an inconsiderable town, unassisted by the natives, and besieged by the queen’s forces†.”

Relying, in like manner, on this general dissatisfaction, three popes, successively, issued bulls, fomenting the insurrections of the catholics against Elizabeth. The bull of St. Pius the fifth, deposing queen Elizabeth, and absolving her subjects from allegiance to her, has been inserted in a former part of these Memoirs. It was communicated to the Irish by Dr. Saunders, who, in 1579, was sent by the pope, as his nuncio, into Ireland. The earl of Desmond was encouraged by a bull of pope Gregory the thirteenth, dated the 13th of May 1580;—and the insurrection of Hugh O’Neil was encouraged by pope Clement the eighth, by a bull dated the 16th of April 1600†. The bulls of Gregory and Clement were addressed to the archbishops, bishops, prelates, counts, barons, and people of Ireland; and exhorted them to recover their liberties, to defend and maintain them against the heretics, and second the efforts of their generals. They bestow on the insurgents the same indul-

\* History of Ireland, vol. ii. p. 396.

† Philip the second justified this invasion, as a retaliation, which Elizabeth had given to his rebellious subjects in the low countries. Hume, c. xli.

‡ Both are inserted by the abbé Mac Geoghegan, in his *Histoire de l’Irlande*, vol. i. p. 437. 508.

gences as the holy see usually bestows on those who make war against the Turks.

—“But most certain it is,” says Dr. Curry\*, “that, “the principal nobility and gentry of the kingdom, “and all the cities and corporate towns, persisted “in their allegiance to her majesty, notwithstanding “the many tempting offers made them by the “Spaniards, in order to withdraw them from it. “It is also certain, that more than one half of the “gallant army under lord Mountjoy, which so suc-“cessfully attacked, and at last entirely defeated “Tyrone, was Irish,”—and consequently catholic. Lord Mountjoy, as Morryson mentions in his History †, acknowledged, in several letters to the council; “the great assistance, which the catholics “had given him;” and in one of them, expressly says, that, “if they had not furnished his army “with beeves, it would have been in great distress.”

The earl of Desmond expiated his rebellion by his life, and the forfeiture of his vast possessions in Munster. The pardon of the earl of Tyrone was extorted from queen Elizabeth, greatly against her will, by her ministers: and has been assigned as one cause, that brought on the profound melancholy which embittered the last days of her life.

\* Historical Review of the Civil Wars in Ireland, b. 1. c. xii.

† Page 115.

## LXXX. 5.

*State of the Irish Catholics under James the first.*

IMMEDIATELY after the death of the earl of Desmond, his property was surveyed and distributed, principally among the English adventurers; but a considerable proportion of it was bestowed on the earl of Ormond.—“The multitude,” says sir John Davies\*,—“admiring the power of the crown of “England, being brayed, as it were, in a mortar, “with sword, famine, and pestilence, altogether, “submitted themselves to the king’s government, “received the laws and magistrates, and most “gladly embraced the king’s pardon and peace, “in all parts of the realm, with demonstration of “joy and comfort.”

But, in this state of joy and comfort, the catholics were not long permitted to remain. James the first, soon after his accession, “conceived,” says Mr. Leslie Forster†, “the project of *changing the population of a great part of the island*, and of introducing a new set of men, who, from religion “and their race, and the continual necessity of self “preservation, should be for ever attached to the “interests of England. The rebellion of Tyrone “furnished an excuse for considering the province

\* “A Discourse of the true Causes why Ireland was never entirely subdued, nor brought under obedience to the crown of England, until the beginning of his Majesty’s happy reign. ed. 1747.”—An excellent work.

† Speech on the 9th of May 1817.

“ *of Ulster as forfeited to the crown*; and James “ proceeded to fill it with English and Scotch adventurers.” It is observable, that the rebellion of Tyrone was never proved by reasonable evidence. In *his letter to sir Hercules Langrish*\*, Mr. Burke observes, that “ these plots and conspiracies were “ never proved upon their supposed authors.” The question of Harris,—If Tyrone and Tyrconnel—(his associate in the supposed rebellion),—were not guilty, why did they fly?—is not so overwhelming as it has been represented.—They might have feared that justice would not have been done them; or that it would be done them in the manner, in which it was done to the Byrnes, in the case which we shall afterwards have occasion to mention.

The confiscation of Tyrone’s property,—(and the same may be said of every confiscation in the reign of queen Elizabeth),—was attended with this remarkable circumstance, that the crown seized, not only the demesnes, and seigniorial right of the offender, but dispossessed all his tenants and sub-tenants of their lands, and parcelled them out among strangers. In the rebellion of Desmond, his estates were found, on a loose survey, to contain 511,456 Irish acres. Elizabeth seized the whole, and granted them to her favourites;—and “ special directions were given,” says sir Richard Cox, “ that the grantees should not suffer any la-“ bourer, that would not take the oath of supre-“ macy;”—in others words, “ any roman-catholic, “ —to dwell upon their land.” It has been happy

“ for mankind, that instances of similar directions “ do not occur, frequently, in history.”

Through the remainder of the reign of James, this transference of property was systematically continued. On the pretence of its being necessary for the improvement of the country, or the security of government, he seized large territories in the province of Leinster, which lay on the sea coast between Dublin and Waterford, and some, which lay between the river Arklow and the river Slane, in Wexford. On the same pretence, he directed sir Arthur Chichester, the lord deputy, to survey the counties of Leitrim and Longford, and large portions of land in the King and Queen’s counties and Westmeath; all possessed, at that time, by the ancient Irish;—and to inquire, by what titles they were held.—It was discovered, that they had been seized by different English adventurers, in the reign of Henry the second; had been regained by the families of the ancient owners, in the wars between the houses of York and Lancaster; and had, from that time, been quietly and uninterruptedly enjoyed by them and their descendants. On this statement, the juries found that all the titles to them were defective, and that the whole property belonged to the king.

A general inquiry into all defective titles was then instituted. It is a received maxim of all nations governed by law, that possession constitutes right against all, who cannot establish a worthier claim. To this rule, the commissioners of the crown paid no attention. Wherever the grant could not be

produced, or, when it was proved, if no descent or conveyance recognizing it could be proved, the land was immediately adjudged to the crown.—As all grants between the first of Edward the second, and the tenth of Henry the seventh, had been resumed, every title under them, notwithstanding the subsequent uninterrupted possession, was declared defective. Industry and ingenuity were exerted, to the utmost, to discover defects in the title of the possessor.

“ Every person,” says Mr. Carte\*, “ was at work on finding out flaws in people’s titles to their estates : ” “ Nor were there wanting,” says Leland †, “ proofs of the most iniquitous practices of hardened cruelty, of vile perjury, and scandalous subornation, to despoil the fair and unoffending proprietor of the inheritance.”—In the case of the Byrnes, mentioned by Mr. Carte ‡, “ a brother, unwilling to give evidence against his two brothers, was miserably tortured, put naked on a burning gridiron ; then on a brandiron, and burnt with gunpowder under his buttocks and flanks, and at last suffered the strappado till he was forced to accuse them.”

At length, James threatened the whole province of Connaught. That province with the whole county of Clare, had surrendered to queen Elizabeth, and been newly granted out by her. The grantees having neglected to enrol the grants in the

\* Life of Ormond, vol. i. p. 27.

† History of Ireland, b. iv. c. 8.

‡ Life of Ormond, vol. i. p. 27.

manner prescribed, James accepted surrenders of them and issued new grants; the grantees immediately lodged them in the court of chancery for enrolment, and paid the fees. The officers received the money, but did not enrol the grants; the titles of the grantees were again found to be defective, and the king was proceeding to avail himself of the defect, when he was prevented by death.

What intelligent reader, who peruses the accounts of these extensive and cruel confiscations, is not astonished at the inaccurate view of them, which Hume has inserted in his History, and at the reflection with which he concludes it\* : " Such " were the arts, by which James introduced hu- " manity and justice among the Irish, who had " ever been buried in the most profound barbarism. " Noble cares! much superior to the vain and cri- " minal glory of conquest; but requiring ages of " perseverance and attention to perfect what had " been so happily begun." Subsequent pages of these Memoirs will show, that, fatally for Ireland, the English government *did* persevere during centuries, in the system thus eulogized by Hume.

## LXXX. 6.

### *State of the Irish Catholics in the reign of Charles the first.*

It must be observed, that the extensive spoliations of property, which have been mentioned, were not the only grievance of which the Irish com-

plained. The statutes of supremacy and uniformity had deprived almost all the ecclesiastics in the kingdom of their benefices, and thus reduced them to poverty: the statute of uniformity subjected every Irishman to a fine of twelve pence for every Sunday on which he absented himself from the protestant church. For refusing the oath of supremacy, numbers were fined and imprisoned; and the penalty imposed for absence from church, which even in these days of national wealth and prosperity, would be severely felt by the lower class of English, was often exacted with rigour.

From the beginning of the reign of Charles the first, till 1626, the sufferings of the Irish catholics seem to have been on the increase: then, the urgency of his majesty's affairs, on account of his double war with France and Spain, and the refusal of the commons to grant him the necessary supplies for carrying them on, made him look to Ireland. The catholics gave him the most unequivocal assurances of their loyalty and instant readiness to devote their lives and fortunes to his service. All they claimed in return was a toleration of their religion, an exemption from some unwarrantable exactions of the temporal and ecclesiastical courts, and to have their titles to their possessions quieted. These the monarch was willing to concede, but the protestant prelates of Ireland denounced the vengeance of God against the concession. The primate Usher, and eleven of the bishops, signed what they termed " the judgment of divers of the archbishops and bishops of Ireland, on the toler-

“ation of religion:” they declared by it, that “the religion of the papists was superstitious and idolatrous; their faith and doctrine erroneous and heretical; their church, in respect to both, apostatical; that, to give them therefore a toleration, or to consent that they might freely exercise their religion, was a grievous sin.”—With these sentiments, the primate, at the head of a body of musketeers, entered the catholic chapel in Cork-street, Dublin, during the celebration of divine service, seized the priest in his vestments, and hewed down the crucifix\*.

After much discussion, a free gift or contribution of 120,000*l.* payable in three years, proposed by the government of Charles to the Irish, was assented to.—At this time, the proportion of catholics to protestants in Ireland, was, by the account of sir William Petty, as eleven to two; the greatest part of the sum was therefore paid by the catholics. In consideration of it, the king gave the Irish his solemn promise, that, in the next session of parliament, the grievances complained of should be redressed; and particularly, that the inquiry into defective titles should be extinguished. An explicit instruction, to this effect, was sent by him to lord deputy Falkland, to be communicated by him to the Irish.—The boon, thus promised by his majesty, was styled, “The Graces.” The money was paid; but the Graces never came. Lord deputy Wentworth, afterwards earl of Strafford, advised his majesty not to grant them, and undertook to charge

himself with the obloquy which, he foresaw, this flagrant breach of promise would occasion. For this, his majesty, by a letter, printed in the *Strafford Papers*\*, affectionately thanked the earl. The members of the Irish house of commons remonstrated: their remonstrance was unnoticed; it was renewed; lord Strafford then explicitly told them, it should not be attended to:—and, at his powerful suggestion, the council board represented to his majesty, that “he was not bound, either in “conscience, justice, or honour, to perform the “solemn promise he had made to the people.” “This point,” says Strafford, “I gained from the “council with some art and difficulty, and flatter “myself thereon to have done his majesty good “service.”—He continued the contribution.

Immediately after this, he established a court of inquisition into the titles of all the lands in Connaught.—At first, he despaired of success: in one of his letters†, he mentions that “he had often “laboured to find a title in the crown to these “counties, but that he was always foiled in the “attempt.” The court was accompanied, to use his lordship’s own words, by a troop of five hundred horse, “as good lookers on.” Great care was used in selecting the jurors; every artifice of promise and intimidation was put into practice. A Galway jury having refused to bring in a verdict for the king, his lordship fined the sheriff, that returned them, in a thousand pounds, and bound over the jury to answer for the offence in the castle chamber, “where,” he

\* Vol. i. p. 331.

† State Papers, vol. i. p. 339.

said, "he conceived it fit, that their pertinacious " carriage should be followed with all just severity." The consequence was, that the titles to all the lands in Connaught, and to large territories in Munster and Clare, were found defective, and seized by the crown. How they were disposed of, a future extract from the earl of Clare's speech, already cited, will show.

## LXXX. 7.

*The Massacre in 1641.*

DR. WARNER'S "History of the Irish Rebellion," and Dr. Curry's "Historical Review," should be attentively perused and meditated by every person, who seeks to obtain accurate information on this lamentable event. Dr. Warner shows that little credit is due to his predecessors, lord Clarendon, sir John Temple, Dr. Borlase, sir Richard Cox, Carte, and Hume. Speaking of the infidelity, shown by the last of these writers, in his representation of the conduct of Charles the first, to his Irish subjects, he says\*,— "To such miserable " shifts are able men reduced, when they wish to " please a party, or to support a character, without " regard to truth! It is but very little, that " Hume has said on this critical part of Charles " the first's reign; but, unless he said much more " to the purpose, than he hath said, he had better " have taken the way, which lord Clarendon took, " and have said nothing at all."

\* Hist. of Irish Rebellion, p. 359.

After every allowance, which the candour of Dr. Warner induces him to make, in favour of the catholics, the charges brought by him against them, are heavy. From some of these, Dr. Curry, in the work we have mentioned, has both ably and successfully vindicated them. To enter into any detail on the subject, is foreign to the object of these pages : but the writer begs leave to request the attention of his readers to the following observations.

1. The first,—to use the words of Mr. William Parnell, in his excellent Apology, which we have already cited,—is—that, “ if it is certain that the “ catholics became bigots and rebels, it is no less “ certain that their bigotry and rebellions arose en-“ tirely from the injuries and insults inflicted on “ them.”

2. The second observation, is,—that, during several months, immediately preceding the insurrection, the general body of the Irish catholics, and in particular the Irish of Ulster, were filled with dismay and horror, by their apprehension, that the puritan faction in England, and the Scottish covenanters had resolved on their extermination. That there were some grounds for this apprehension, all must believe, who have read the first volume of Carte's Life of Ormond, from its 233d to its 339th page ;—or the fourth and fifth books of Dr. Curry's Historical Review.—Hume, himself, in his letter to Dr. Curry, inserted by that gentleman in the work, which we have just mentioned\*, admits, that “ the

\* b. v. p. 181.

“ violence of the puritanical parliament, had struck “ *a just terror* into all the catholics.” Admitting, therefore, every thing with which, in the next lines of this letter, Hume charges the Irish insurgents, something of it may surely be palliated, by the state of *just terror*, to which he admits their alarms had raised them. It is acknowledged by Carte, that the lord deputy, sir William Parsons, had asserted, at a public entertainment in Dublin, that, “ within a “ twelvemonth, no catholic should be seen in Ire-“ land.” He had sense enough,” says Carte, “ to “ know the consequences, which would naturally “ follow from such a declaration; which, however “ it might contribute to his own selfish views, he “ would hardly have ventured to make so openly, “ and without disguise, if it had not been for the “ politics and measures of the English faction, “ whose party he espoused, and whose directions “ were the general rule of his conduct.”

3. The third observation, with which we shall trouble our readers, respects the number of the massacred. In their calculations of them, the historians of the massacre surprisingly differ. Sir John Temple fixes the number of protestants, who were massacred in cold blood, in the two first months of the rebellion, at 150,000:—lord Clarendon asserts, that, in the first two or three days of it, 40,000 or 50,000 were destroyed: sir William Petty says, that upwards of 40,000, were killed out of war.

“ Although it be impossible,” says Dr. Warner, “ even from the authentic evidence of the murders, “ to come to any certainty, or exactness as to their

“ numbers, from the uncertainty itself of some of  
“ the accounts that were given in,—it is easy enough,  
“ from them, to demonstrate the falsehood of every  
“ protestant historian.

“ Upon the whole,” he assures us,—that, “ set-  
“ ting aside all opinions and calculations in this  
“ affair, the evidence in his possession stands thus:

“ The number of people killed, upon positive  
“ evidence collected in two years after the insur-  
“ rection broke out, amounts only to 2,109;—on  
“ the report of other protestants, to 1,619 more;—  
“ and, on the report of some of the rebels them-  
“ selves, a further number of 300; the whole,  
“ both by positive evidence, and by report, making  
“ 4,028.

“ Besides these numbers,” continues Dr. Warner,  
“ there is evidence in the same collection, on the  
“ report of others, of 8,000 killed by ill usage; and  
“ if we should allow the cruelties of the Irish out of  
“ war, extended to these numbers,—(which, con-  
“ sidering the nature of the several depositions, I  
“ think, on my conscience, we cannot),—we must  
“ allow, there is no pretence for laying a greater  
“ number to their charge \*.”

\* This estimate is confirmed, by the following judicious and unanswerable observations of lord Castlemain in his “ Reply to the Answer of the Catholic Apology,” p. 54.— After showing that the whole Irish population could not, at the time of which we are speaking, exceed two millions of persons, he proceeds as follows: “ If we take away *two or three thousand* men, in whose hands the government is, (I mean the chief offices of trust and profit,) and four or five thousand clergymen, with a fit allowance for their wives,

“ This account,” adds the doctor, “ is corroborated  
“ by a letter, which I copied out of the council book

“ there will hardly be found *one* in *ten* a protestant; which  
“ then makes the number of protestants not to be yet above  
“ *two hundred thousand* in all; and out of these, at least a quarter  
“ being deducted for the *Scotch colonies*, the *English* of the  
“ reformed faith will scarce now amount to a *hundred and*  
“ *fifty thousand*; whereas formerly, before the *banishments*,  
“ *transplantation*, and infinite *slaughters* of the *Irish*, the  
“ *popish party* was exceedingly more numerous than this  
“ proportion, and the other religious less; for, during the  
“ last thirty years, (by reason of the wonderful prey,) there  
“ came more planters out of *England* hither, than God  
“ knows in how many ages before: so that upon the whole I  
“ dare affirm, that there could not be in *Ireland* *one hundred*  
“ *and twenty thousand* English protestants, when the *rebellion*  
“ broke out.

“ In the last place, let us consider, (as the aforesaid author  
“ also has it,) that the most bloody executions were made in  
“ *Ulster*; a quarter (as every body knows,) where the *Old*  
“ *Irish* had not only their chiefest power and strength, but  
“ where the *Scotch* also were, for the most part, all seated;  
“ so that our countrymen had there comparatively few  
“ plantations: but had they been as thick here as in other  
“ places (and herein there was no proportion) their number  
“ could not then have exceeded *twenty four thousand* inhabitants,  
“ there being five provinces in this kingdom. Yet in all the  
“ printed narrations, we find that many were protected from the  
“ present fury of the rebels in *London, Derry, Coleraine, and Ennis*—  
“ *kilting*, (for these were in the hands of the English, as *Sanderson*  
“ tells us) that droves came daily to *Dublin* partly by flight, and  
“ partly by permission, and that many more got safe to other places,  
“ of refuge. In short then, after well reflecting on the premises,  
“ who can imagine that *three thousand English protestants* were  
“ here destroyed, which is a pretty difference, from *three*  
“ *hundred thousand*, the usual computation, as I said; for as to

“ at Dublin, written on the 5th of May 1652, ten  
“ years after the beginning of the rebellion, from  
“ the parliament commissioners in Ireland, to the  
“ English parliament. After exciting the parlia-  
“ ment to further severity against the Irish,—as  
“ being afraid that their behaviour, towards that  
“ people, might never sufficiently avenge their  
“ murders and massacres ; and, lest the parliament  
“ might shortly be in pursuance of a speedy settle-  
“ ment of the kingdom, and thereby some tender  
“ conclusions be adopted,—the commissioners tell  
“ them, that, besides 849 families, there were killed,  
“ hanged, and burned, 6,062.”

4. We should also mention,—that the whole body  
of the catholic nobility and gentry did, by their  
agents at Oxford, in 1643, petition the king, that “ all  
“ murders committed on both sides, in that way,  
“ might be examined in a future parliament, and the  
“ actors of them exempted out of all the acts of  
“ indemnity and oblivion : but that the protestant  
“ agents, then also attending the king at Oxford,  
“ refused to assent to the proposal\*.”

5. Finally,—we beg leave to state, in a few words,  
what is said by the apologists of the Irish catholics,  
to palliate this lamentable event.—They first ob-  
serve, that, during the successive reigns of Elizabeth,  
James the first, and Charles the first, the spiritual and

“ the slaughter done elsewhere, it was not comparable to what  
“ happened in this province, as all writers unanimously  
“ agree.”

\* Walsh's History of the Irish Remonstrance, App. p. 54.

temporal grievances of the Irish catholics were very great, were always on the increase, and were of a nature to agitate the human feelings in the highest degree, and to stimulate them to the greatest excesses.—They next assert, from unquestionable evidence, that the insurrection on the 23d of October 1641, was confined to the province of Ulster ; that, though this day is assigned for the commencement of the general massacre, the insurrection was confined, during the two following months, to that province ; that, during the whole of those months, few murders, if any, were committed ; that sir William Parsons and sir John Borlase, the lords justices, to whom the government of the kingdom was, at this time, committed, instead of endeavouring to repress, artfully strove to goad the whole catholic body into rebellion ; that, after the insurrection had spread, a fanatic and enthusiastic soldiery, on one hand, and a savage and exasperated rabble on the other, promiscuously plundered and murdered English protestants and Irish catholics ; that the number of the catholic victims of these barbarities far exceeded that of the protestant ; that the massacre began with a murder committed by Scottish puritans, of a multitude of unoffending Irish catholics in the island of Maggee ; and that, throughout the whole of the massacre, there were found in every part of Ireland, both catholic priests and catholic laymen, who exerted themselves, frequently at the risk of their lives, to save the protestants from the destruction with which they were threatened.

Such is the catholic representation:—Those, who wish for full information on the subject, should attentively peruse the protestant historians, Leland and Warner; and the catholic apologist Dr. Curry, whose Historical and Critical Review we have frequently cited, and the Trial of the Roman-catholics, by Henry Brooke, esq. 1767, 8vo.—a work, which we have frequently consulted. A serious and impartial comparison of these works, will, we think, convince every candid mind, that, in the charges, to which the conduct of the catholics on this lamentable event may be thought to have justly exposed them, there has been some invention, and great exaggeration.—At all events, the sins even of the vilest actors in them, should not be visited on their tenth generation.

## LXXX. 8.

*The Confederacy of the Irish Catholics in 1642.*

WE must now reverse the medal,—and consider the conduct of the lords justices, towards the catholics, at this dreadful time. “The arbitrary “power,” says Dr. Warner, “exercised by them; “—their illegal exertion of it, by bringing people “to the rack, to draw confessions from them;—their “sending out so many parties from Dublin and “other garrisons, to kill and destroy the rebels, in “which, care was seldom taken to distinguish,— “and men, women and children were promiscu- “ously slain;—but above all, the martial law exe- “cuted by sir Charles Coote;—and the burning

“ of the pale for seventeen miles in length, and  
“ twenty-five in breadth, by the earl of Ormond;—  
“ these measures not only exasperated the rebels  
“ and induced them to commit the like or greater  
“ cruelties; but they terrified the nobility and  
“ gentry from all thoughts of submission, and con-  
“ vinced them, that there was no room to hope for  
“ pardon, nor any means of safety left them, but the  
“ sword.” Leland \*, observes, that “ the favourite  
“ object, both of the Irish government and English  
“ parliament, was the utter extermination of all the  
“ catholic inhabitants of Ireland. Their estates were  
“ already marked out, and allotted to the conquerors,  
“ so that they and their posterity were consigned to  
“ inevitable ruin.” It is not to be wondered that a  
great body of nobility, gentry, and proprietors, thus  
circumstanced, should unite, for self-preservation,  
in a regular system of defence.

They accordingly confederated:—In the month of May 1642, the leaders of them assembled at Kilkenny, and formed a general council, for the conduct of their measures, on a plan of a parliament of two houses:—the upper, composed of the prelates and temporal peers; the lower, of two delegates sent by the counties and cities. They accepted, for the rule of government, the common law of England, and the statutes of Ireland, so far as they were not repugnant to catholic faith, and to the liberties of the Irish nation. The oath of association was,—“ I swear, before Almighty God,  
“ his angels and saints, that I will defend the  
“ liberty of the catholic, apostolic and Roman faith,

\* Vol. iii. p. 166.

“ and the person, heirs, and rights of our most  
 “ serene king, Charles,—as also the legal rights  
 “ and privileges of this nation,—against all usurp-  
 “ ers and invaders, at the hazard of my fortune  
 “ and of my life. So help me God !”

The first measure of the supreme council was to consult the clergy on the lawfulness of the confederacy and of the war. The answer of the clergy,—given on the 12th of May,—was expressed in the following terms : “ As the war, which the Irish catholics begin against the sectaries, particularly the puritans, is undertaken for the defence of the catholic religion ;—for the conservation of our sovereign lord king Charles, and his just prerogatives ;—for the defence of our serene queen ; and the security of their royal progeny, most unworthily treated by the puritans ; and also for the defence of our lives and fortunes, and the just and legitimate immunities and liberties of this our nation, against unjust invaders and oppressors, particularly the puritans :—We are of opinion, and do declare, that it is, on the side of the catholics, just and legitimate.—But if, in carrying it on, any proceed, with an unjust, avaricious, hating, revengeful, or other such sinister intention, or any wicked design or end, we think such persons sin mortally, and should be chastised, coerced, and punished by ecclesiastical censures\*.”

\* Translated from an authentic and elegant work,—*Vindiciae Catholicorum Hiberniæ*, authore Philopatre Irenæo, ad Aliothophilum, libri duo; Parisiis, 1650; attributed to Mr. Richard Bellings.

The supreme council proceeded to appoint sir Phelim O'Neil to the command of the catholic forces in Ulster; colonel Preston, a brother of lord Gormanstown, to the command of the catholic forces in Leinster; colonel Garret Barry, of the Barrymore family, to the command of the catholic forces in Munster; and colonel de Burgh, of the Clanrickard family, to the command of the catholic forces in Connaught. The next measure of the supreme council, was to obtain, from his majesty, a cessation of arms.—Charles was anxious for it, and signed a commission, on the 14th January 1642, directed to the earl, afterwards marquis of Ormond, and afterwards lord lieutenant of Ireland,—and to other persons of distinction,—authorizing them to treat with the confederates:—This Ormond declined. His majesty repeatedly and pressingly urged it, by letters and messages;—Ormond still delayed. At length, on the 15th of September 1643, a cessation of arms was agreed upon by him and the confederates; and, notwithstanding their distress, the catholics advanced 30,800*l.* sterling to Ormond, to be applied for his majesty's service; and sent two thousand men to fight under Montrose in Scotland.

## LXXX. 9.

*The Interference of the Pope's Nuncio in the Proceedings of the Confederates.*

WHILE the council of Kilkenny held their first sittings, an event happened, which from the first,

counteracted, and in the end, defeated all their measures.

In 1644, pope Urban sent father Scarampa, an oratorian, to communicate with the supreme council. He remained in Ireland till November 1645, when John Baptist Rinuccini, archbishop of Fermo, arrived at Kilkenny, in the character of apostolic nuncio extraordinary, from the pope to the council. On the 12th of that month, he presented himself, with his credentials, to the supreme council, and shortly exposed to them the object of his mission.— He then said : “ There will not, in all probability, “ be wanting those, who will assert, that I have been “ sent, by the most holy father, and universal pastor “ of the church, Innocent the tenth, to excite the “ catholic inhabitants of this kingdom against the “ most serene king of Great Britain and Ireland. “ How far this is from the truth, God, the searcher “ of hearts, is not ignorant ! I therefore protest “ and most solemnly swear, that I will plan nothing “ against the interests of the most serene king “ Charles. Moreover,—to all catholics, as well “ present as absent, I signify, that nothing more “ agreeable to the supreme pontiff, can take place, “ than that the confederates in Ireland, having “ recovered the free exercise of their religion, “ should observe due subjection, service, and re- “ verence to his serene majesty, though not a “ catholic.”

The cessation of arms concluded between Ormond and the supreme council, was received with general joy by the confederate nobility, and the

greatest and best part of the clergy: but the nuncio, and general Owen O'Neil,—who afterwards drew over general Preston to his views,—rejected it: the former, because there was no provision made for the free exercise of the catholic religion, without which, the confederates, in the nuncio's view of the case, were engaged, by their oath of association, never to conclude a peace; and the latter, on the same account, and also because no stipulation was made for restoring him and his numerous followers to their forfeited lands in Ulster. The nuncio further alleged, that the commissioners who had concluded the peace, had not, as they were bound by their instructions, insisted on the repeal of the penal statutes against the roman-catholic religion.

The confederates, however, adhered to the cessation: and, with the leave of Ormond, sent over seven persons of rank to his majesty, to treat with him for a permanent peace. They reached his majesty, on the 23d of March 1645; the king agreed to all the terms proposed by them, except those, by which they claimed the free exercise of their religion, and the quiet enjoyment of the ecclesiastical property then actually possessed by them. The concession of these, would, his majesty observed, irritate all the protestants in the three kingdoms against him.—He therefore ordered the commissioners to return to the council, and treat with Ormond, on this point.

Soon afterwards, the earl of Glamorgan, a roman-catholic, and connected, by his marriage,

with the house of O'Brien, attended at Kilkenny ; accredited, as he said, by his majesty, to treat with the supreme council. On the 25th of August 1645, articles of peace were signed by the earl and the supreme council, containing an express stipulation, that the catholics should enjoy the free exercise of their religion, and retain all the churches, then in their possession, and the property belonging to them.

It was intended that this treaty should be kept a secret, till a more favourable combination of circumstances should remove the objection to its publication ; but accident brought it to light ; and the monarch then shamefully disavowed the powers, under which Glamorgan had professed to act.—A new treaty was therefore entered into with Ormond ; it was signed on the 28th of March 1646, but appears not to have been delivered till the 29th of the following July\*. It contained no stipulation for the free exercise of the catholic religion, or the enjoyment of ecclesiastical property : these were to be the subject of a future arrangement, and to be allowed in the mean time by connivance. The pope himself felt the necessity, which induced the supreme council to submit to such terms. Discoursing with Mr. Richard Bellings, on what had passed between his majesty, and the deputies to him from the council, his holiness observed, that it was not to be wondered, that his majesty should think it unsafe to consent to the insertion of the contested article, as this would

\* Carte's Life of Ormond, vol. i. p. 574.

alienate from him so many of his adherents,—“ and “ therefore,” said his holiness, “ a connivance, in “ this respect, should, in the actual state of things, “ satisfy you.”

But the treaty now concluded was too late to be of use to the unfortunate monarch. “ The news “ of the conclusion of the peace,” says Carte\*, “ did not reach England soon enough to deter the “ execrable authors of the murder of the king from “ perpetrating a villainy, which, how long soever “ they had intended it, they durst not attempt to “ execute, till they thought themselves secure of “ impunity, by being absolute masters of Great “ Britain without any considerable force in any “ part of these kingdoms to oppose their measures, “ or take vengeance of their crimes.”

“ It is no small, or unequivocal proof,” says Mr. Plowden †, “ of the eminent loyalty and fidelity “ of the Irish catholics, that, at Charles’s unfortu- “ nate execution, they formed the only compact “ body throughout the extent of the British empire, “ who had preserved, untainted and unshaken, “ their faith and attachment to the royal cause.”

On this occasion, sir Richard Cox, one of the historians of the rebellion, expresses a wish indicating no common hatred to the Irish catholics:—“ How gladly would I draw,” says this writer, “ a “ curtain over the dismal and unhappy 30th of “ January, wherein the royal father of our country “ suffered martyrdom. Oh! that I could say they

\* Carte’s Life of Ormond, vol. ii. p. 52.

† In his very valuable Historical Memoirs, vol. i. p. 119.

“ were Irishmen, that did that abominable fact !  
“ Or that I could justly lay it at the doors of the  
“ papists ! But, how much soever they might  
“ obliquely or designedly contribute to it, 'tis  
“ certain it was actually done by others.”

We have seen what the impressions of the nuncio and his adherents were, on any peace that should be concluded with Ormond, on the terms we have mentioned.—With those feelings, and giving full scope to them, he proceeded to measures equally unjustifiable and inexpedient. Having called together, at Waterford, such of the Irish bishops and other ecclesiastics, as were most under his influence, on pretence of forming a synod to settle ecclesiastical matters, they took the peace into their consideration ; and, by a public instrument, signed by them, on the 12th of August 1646, declared their dissent from the peace. The nuncio then proceeded to Kilkenny, accompanied by general Preston and general O'Neil. There, on the 26th of the following September, the nuncio assumed the entire government of the kingdom ; imprisoned the greater number of the members of the supreme council ; appointed, in its stead, a council, consisting of four bishops and eight laymen, and commanded all generals to obey their orders. The presidency of the council he assumed to himself.

On the 5th of the following October, he issued a sentence of excommunication, to take effect, *ipso facto*, against all who had been instrumental in making the peace, and all who should afterwards adhere to it, or promote it.

At this time, there were twenty-seven Irish catholic bishops; nineteen obeyed the nuncio; eight adhered to the nobility and gentry.

By this step, (as Dr. Curry justly observes), the nuncio and his party contributed more, in one week, towards the defeat of the confederates, than the marquis of Ormond, with all his forces, had been able to effect, during the whole preceding period of the war. "I loved the nuncio," says Lynch, (archdeacon of Tuam, the learned author of the 'Cambrensis Eversus,') "and révère his memory; " but it is most certain, that the first cause of our "woe, and the beginning of our ruin, were produced "by his censures.—The day on which they were "fulminated, should not be in benediction. To "the Irish, it was most disastrous, and should "therefore be noted with black, ranked among the "inauspicious days, and devoted to the furies\*."

This wayward incident divided the confederates into two parties: and these soon became more exasperated against each other, than they were against the common enemy. But, notwithstanding this defection, "all the confederate nobility and "gentry," says Carte †, "except a very few of the "latter, and all the old bishops and regulars, "whose missionary powers were not subordinate "to the nuncio's authority, still adhéred to the "peace, in defiance of the censures denounced "against them."

\* Alithinologia, tom. i.

† Life of Ormond, vol. i. p. 170.

In the latter end of October 1646, the nuncio and the two generals, Preston and O'Neil, advanced to Dublin; and, on the 2d of the following month, sent proposals of accommodation to the marquis of Ormond. "These," says Dr. Curry\*, "were, in effect, the same demands, as they had all along made, and the king was willing to grant them; but which his excellency had still obstinately refused." His excellency and the council, continues the same writer, being doubtful, how the catholics of Dublin would behave, in case the city was assaulted by so great an army, fighting under a title of so specious a cause, and under the authority of so extraordinary a minister of the holy see, put two questions to such of the catholic clergy as resided in that city;—the 1st. Whether, if the nuncio should proceed to excommunicate those, who adhered to the peace, then lately made, the excommunication would be void? The 2d. Whether, if the city should be besieged, by the direction of the nuncio, the catholics might lawfully resist the siege or assault? The clergy answered unanimously,—that the excommunication would be void; and the resistance lawful. His excellency afterwards entered into a treaty with general Preston, and the terms of it appear to have been settled; but mutual distrust seems to have prevented its execution on either side. On this, the marquis treated with the covenanters. The terms were easily settled; and the marquis soon afterwards

\* Historical Review, book vii. c. xi. xii.

gave up, to their commissioners, all the forces under his command, the sword of state, and all the other insignia of government. For this, he received from them, a large sum of money, and permission to hold his estates discharged from the debts upon them. Soon after this event, general Preston was totally defeated at Dungan's hill near Trim, by Jones the parliamentary governor of Dublin ; and the confederate army in Ulster was destroyed in Knockonness.

About the end of July 1647, the marquis of Ormond, by order of the parliament, quitted Ireland. In January 1648, the earl of Inchiquin, who, till this time, had been an active partisan of the parliament, being dissatisfied with its proceedings, began to treat with the confederates. The nuncio opposed the treaty ; but it proceeded, and on the 29th of May 1648, an agreement for a cessation of arms, and mutual assistance, was signed. The nuncio then issued an excommunication against all, who adhered to or favoured this cessation ; and, interdicting all cities, towns, and places which had received it, forbade all divine offices to be performed in them. On the 31st of the same month, the supreme council appealed, in form, against his censures, and were joined by two catholic archbishops, twelve bishops, and all the secular clergy in their dioceses, by all the Jesuits and Carmelites, and five hundred of the Franciscans\*.

From the time of his quitting Ireland, till September 1648, the marquis of Ormond remained in

\* *Carte's Life of Ormond*, vol. ii. p. 34.

France. On the 21st of that month, he sailed for Ireland, from Havre; and on the 29th, reached Cork. He was received with great demonstrations of joy. Soon after his landing, he signified to the supreme council of the confederates, then sitting at Kilkenny, that he was arrived, with full powers to treat and conclude a peace with the confederate catholics, pursuant to the paper, delivered to their agent at St. Germain's, and which granted them their own terms. On the receipt of the message, the supreme council invited the marquis to Kilkenny: he made his entry into it, with great splendour. On the 16th of January 1649, a peace between his majesty and the confederates was proclaimed with great solemnity, and the English and Irish forces were placed under the command of the marquis. By the terms of the peace, it was stipulated, that all the laws, which prevented the free exercise of the catholic religion in Ireland, should be repealed; and that the catholics should not be disturbed in the possession of their churches and church livings, till his majesty, upon a full consideration of the decree respecting them in parliament, should declare his further pleasure.

On the following day, the assembly drew up several articles to be transmitted to the pope, containing heavy accusations against the nuncio. They intimated to his excellency, at the same time, the necessity of his immediately repairing to Rome, to answer the articles. On the 23d of February following, the nuncio left Ireland, "to the great joy," says Dr. Curry, "of the principal nobility

" and gentry, and the most respectable ecclesiastics in Ireland."

It should be observed, that his proceedings were contrary to the instructions which he had received from the court of Rome. By these, he had been directed, in case a peace were made, to do nothing indicating that he either approved or disliked it. Dr. Curry produces reasons, which render it highly probable, that the peace, made by the confederates with the marquis of Ormond, was not displeasing to the pope. Carte mentions \*, that, soon after his infraction of the peace, the nuncio received a reprimand from Rome, for having acted, in this respect, contrary to his instructions. On his return to that city, he was received coldly by the pope. His holiness told him, that he had "carried himself "rashly in Ireland," and exiled him to his diocese. The disastrous result of his nunciature, and the reception which he met with at Rome, affected him so much, that in a short time afterwards he died of grief. In 1655, pope Alexander the seventh, empowered four of the prelates of Ireland to grant a general absolution from the censures of the nuncio.

At first, the greatest harmony and zeal for the service prevailed among the officers and soldiers of the confederate army, now placed under Ormond, and they became masters of Sligo, Drogheda, Waterford, Trim, and Newry, and most of the strong holds and towns in Ireland, except Londonderry and Dublin. Ormond was advancing to

\* Vol. i. p. 570.

Dublin ; but, at Rathmines, a place about three miles distant from it, his whole army was surprised and routed, on the 2d of August 1649, by Michael Jones, the governor of Dublin for the parliament.

A new scene now opened :— On the invitation of the Scottish covenanters, Charles the second left Breda ; and, on the 23d of June 1650, arrived in Scotland. Before he landed, he was compelled to sign both the national and the solemn covenant. Two months after his landing, he issued a declaration, that “ he would have no enemies, but the enemies of the covenant ;— that he did detest and abhor “ all popery, superstition, and idolatry, together “ with prelacy ; resolving not to tolerate, much “ less to allow those, in any part of his dominions, “ and to endeavour the extirpation thereof to the “ utmost of his power.” He pronounced the peace with the confederates “ to be null and void ;” and added, that, “ he was convinced in his conscience “ of the sinfulness and unlawfulness of it.”

The afflicting intelligence of this conduct of his majesty soon reached the confederates. They suspected, not without ground, that the marquis of Ormond had advised it. Under these impressions, several catholic bishops, in the following August, assembled at Jamestown. They published a declaration against the lord lieutenant, charging him with improvidence and ill-conduct, with gross partiality to the protestants, hostility to the catholics, cruelty to the clergy, and wicked counsels to the King.—They proceeded to excommunicate all such catholics, “ as should enlist under, help, or adhere

“ to his excellency ; or assist him with men, money, or any other supplies whatsoever.” But they delayed the promulgation of the sentence till the meeting of a general assembly then convened to sit at Loughrea. They also appointed six of their body, as a board, to reside in that city, in order, as they declared, to provide for the safety of the nation, the preservation of the catholic religion, and the maintenance of the royal authority. To this, in all their vicissitudes of fortune, every Irish catholic professed the warmest attachment. On the fifteenth of the following September, they published their excommunication, in the usual form. “ But all the sober professors of the catholic religion,” says lord Clarendon, in his History of the Rebellion, abhorred their proceedings, and most “ of the commissioners of trust, or the principal “ nobility, and most considerable gentry, remained “ firm in their particular affection and duty to the “ king ; and in their submission to the authority of “ his lieutenant, notwithstanding this excommunication.”

Soon after this event, the northern army generally went over to the parliament, and in December 1650, the marquis of Ormond quitted Ireland, having appointed the earl of Clanrickard his deputy.

Then,—the Irish catholics,—finding themselves reduced to irremediable distress, with the dismal prospect of its daily increase, and its ending in their total destruction, showed, for the first and only time, some willingness to treat with the parliamentarians. —But, before any progress was made in a treaty

with them, an ambassador from the duke of Lorraine arrived in Ireland, with offers of powerful assistance for the preservation of the catholic religion, and his majesty's Irish subjects. The earl of Clanrickard took his proposals into consideration; the Jamestown bishops, and their adherents in general, were desirous that they should be received; and this had the approbation of the queen, the duke of York, and the marquis of Ormond himself. The treaty, however, was broken off.—The rebels advancing on the marquis of Clanrickard, he retired to the town of Carrick; being encompassed on every side, he submitted to the parliament; and, in 1652, left Ireland, carrying with him the royal authority.

“The Irish,” says Mr. Matthew O’Conor, “now received the chastisements due to their dissensions. All the male adults capable of bearing arms, with the exception of a sufficient number of slaves to cultivate the lands of the English, were transported to France, Spain, and the West Indies. A great number of females were transported to Virginia, Jamaica, and New England. The rest of the inhabitants of all sexes, ages, the young, the aged, and the infirm, were ordered, on pain of death, to repair, by a certain day, into the province of Connaught, where, being cooped up in a district, ravaged by a war of ten years continuance, desolated by famine and pestilence, and destitute of food or habitations, they suffered calamities, such as the wrath of the Almighty has never inflicted on any other

“people. Thousands of these miserable victims  
“perished of cold and hunger ; many flung them-  
“selves headlong from precipices, into lakes and  
“rivers, death being their last refuge from such  
“direful calamities\*.”

So little were their rights, or even their ex-  
istence, taken into the account, that Harrington  
thought the best thing the commonwealth could  
do with Ireland, was to farm it to the jews for ever,  
for the pay of an army to protect them during the  
first seven years, and two millions a year from that  
time forward †. Moryson, a protestant historian,  
and an eye witness, observes, that “neither the  
“Israelites were more persecuted by Pharaoh, nor  
“the innocent infants by Herod, nor the christians  
“by Nero, or any other pagan tyrants, than were  
“the roman-catholics of Ireland at this fatal junc-  
“tion, by the commissioners.”

## LXXX. 10.

*The Confiscations made by Cromwell;—and the Settlement  
of the Confiscated Property, at the Restoration.*

“THE first act of Cromwell,”—says lord Clare,  
in the speech which has been so often quoted,—  
“was to collect all the native Irish, who had sur-  
“vived the general desolation, and remained in

\* “The History of the Irish Catholics, from the settlement  
“in 1691; with a short view of the state of Ireland from the  
“invasion of Henry the second to the Revolution. By  
“Matthew O’Conor, esquire, 1813.”

† Cited in the *Quarterly Review*, for Oct. 1821, p. 341.

“ the country, and to transplant them into the province of Connaught, which had been completely depopulated and laid waste in the progress of the rebellion. They were ordered to retire thither, by a certain day, and forbidden to repass the river Shannon, on pain of death; and this sentence of deportation was rigidly enforced until the Restoration. Their ancient possessions were seized and given up to the conquerors; as were the possessions of every man, who had taken a part in the rebellion, or followed the fortunes of the king; after the murder of Charles the first. This whole fund was distributed among the officers and soldiers of Cromwell's army, in satisfaction of the arrears of their pay; and among the adventurers, who had advanced money to defray the expenses of the war. And thus, a new colony of new settlers, composed of all the various sects, which then infested England,— independents, anabaptists, seceders, brownists, socinians, millenarians, and dissenters of every description, many of them infected with the leaven of democracy,—poured into Ireland, and were put into possession of the ancient inheritance of its inhabitants.

“ It seems evident, from the whole tenour of the declaration, made by Charles the second at his restoration, that a private stipulation\* had

\* This assertion appears to be utterly inconsistent with his majesty's own declarations. In a letter from Breda, (Dr. Curry's Historical Review, b. ix. c. 15), he desired the marquis of Ormond to assure the catholics, that “ he would perform all

“ been made by Monk, in favour of Cromwell’s  
“ soldiers and adventurers, who had been put into  
“ possession of the confiscated lands in Ireland ;  
“ and it would have been an act of gross injustice,  
“ on the part of the king, to have overlooked their  
“ interests. The civil war of 1641, was a rebellion  
“ against the crown of England ; and the complete  
“ reduction of the Irish rebels by Cromwell, re-  
“ dounded essentially to the advantage of the

“ grants and concessions which he had either made or promised  
“ them by the peace ; and which, as he had new instances of  
“ their loyalty and affection to him, he should study rather to  
“ enlarge, than diminish in the least degree.”

In his speech to both houses of parliament, July 1660, when a general act of oblivion was intended to be passed, his majesty, knowing that means had been used to exclude the Irish from the benefit of that act, told them, that “ he hoped the Irish “ alone would not be left without the benefit of his mercy ; that “ they had shown much affection to him abroad ; and that he “ expected the parliament would have a care of his honour, and “ of what he had promised them.” And, in his declaration of the 30th of November following, which was intended to be the ground-work of the act of settlement, he again acknowledged the obligation, and said, “ he must always remember the great “ affection a considerable part of the Irish nation expressed to “ him, during the time of his being beyond the seas : when, “ with all cheerfulness and obedience, they received and sub-  
“ mitted to his orders, though attended with inconvenience “ enough to themselves ; which demeanor of theirs,” he added, “ cannot but be thought very worthy of our protection, justice, “ and favour.”

It is observable that the Irish were excluded from the benefit of the act of oblivion ; and that, in their exclusion, the duke of Ormond actively co-operated.

“ British empire \*. But, admitting the principle  
“ of this declaration in its fullest extent, it is im-  
“ possible to defend the acts of settlement and  
“ explanation, by which it was carried into effect;  
“ and I could wish that modern assertors of Irish  
“ dignity and independence would take the trouble  
“ to read and understand them.

“ The Act of Settlement professes to have for  
“ its object the execution of his majesty's gracious  
“ declaration for the settlement of his kingdom of  
“ Ireland, and the satisfaction of the several inte-  
“ rests of adventurers, soldiers, and other his sub-  
“ jects there; and, after reciting the rebellion, the  
“ enormities committed in the progress of it, and  
“ the final reduction of the rebels by the king's  
“ English and protestant subjects, by a general  
“ sweeping clause, vests in the king, his heirs and  
“ successors, all estates real and personal, of every  
“ kind whatsoever in the kingdom of Ireland,  
“ which at any time from the 21st of October 1641,  
“ were seized or sequestered into the hands, or to  
“ the use of Charles the first, or the then king, or  
“ otherwise disposed of, set out or set apart, by  
“ reason or on account of the rebellion; or which  
“ were allotted, assigned, or distributed to any  
“ person or persons for adventures, arrears, repre-

\* This is artfully expressed:—but, if the fact be true,—and it appears unquestionable,—that, at the time of the murder of Charles the first, the Irish catholic army was the only body of men, throughout the dominions of his majesty, that adhered to him, Cromwell's victories over them were not a reduction of rebellion, but a triumph over the last remains of loyalty.

“ sals, or otherwise ; or whereof any soldier, ad-  
“ venturer, or other person was in possession, for  
“ or on account of the rebellion. And having  
“ thus, in the first instance, vested three fourths of  
“ the lands and personal property of the inhabi-  
“ ants of this island, in the king, commissioners  
“ are appointed with full and exclusive authority,  
“ to hear and determine all claims upon the ge-  
“ neral fund, whether of officers and soldiers for  
“ arrears of pay, of adventurers who had advanced  
“ money for carrying on the war, or of innocent  
“ papists, as they are called; *in other words, of the*  
“ *old inhabitants of the island, who had been dis-*  
“ *possessed by Cromwell, not for having taken a part*  
“ *in the rebellion against the English crown, but for*  
“ *their attachment to the fortunes of Charles the*  
“ *second.* But, with respect to this class of suf-  
“ ferers, who might naturally have expected a  
“ preference of claim, a clause is introduced, by  
“ which they are postponed after a decree of in-  
“ nocence by the commissioners, until previous  
“ reprisal shall be made to Cromwell’s soldiers  
“ and adventurers, who had obtained possession  
“ of their inheritance. I will not detain the house  
“ with a minute detail of the provisions of this act,  
“ thus passed for the settlement of Ireland ; but I  
“ wish gentlemen, who call themselves the digni-  
“ fied and independent Irish nation, to know, that  
“ seven millions eight hundred thousand acres of  
“ land were set out, under the authority of this act,  
“ to a motley crew of English adventurers, civil  
“ and military, nearly to the total exclusion of the  
“ old inhabitants of the island. Many of the latter

“ class, who were innocent of the rebellion, lost  
“ their inheritance, as well from the difficulties im-  
“ posed upon them by the court of claims, in the  
“ proofs required of their innocence, as from a defi-  
“ ciency in the fund for reprisal to English adven-  
“ turers, arising principally from a profuse grant  
“ made by the crown to the duke of York. The  
“ parliament of Ireland, having made this settle-  
“ ment of the island,—in effect on themselves,—  
“ granted an hereditary revenue to the crown, as  
“ an indemnity for the forfeitures thus relinquished  
“ by Charles the second.”

“ By this act,” says Mr. O’Conor\*, “ which  
“ closed the settlement of Ireland, the catholics  
“ were robbed of 2,700,000 acres of arable and  
“ pasture, besides immense wastes, which had been  
“ guaranteed to them by the peace of 1649, as well  
“ as by their long faithful services to his majesty ;  
“ and by every title, which immemorial possession,  
“ and the laws of every society, in which trans-  
“ missible possession is recognized, could bestow.  
“ The chief,—indeed it may be said, the only suf-  
“ ferers, were those of Irish name and descent.  
“ Whatever remnant had been left of former con-  
“ fiscations was now absorbed in the vortex and  
“ abyss of the Restoration-settlement. The  
“ M’Guires, M’Mahons, M’Gwinnesses, M’Car-  
“ thys, O’Rourkes, O’Sullivans, O’Moors, O’Co-  
“ nors Roe, O’Conors Sligo, O’Creans, were in-  
“ volved in one promiscuous ruin. Henceforth  
“ they disappear from the page of history.”

\* History of Ireland, p. 98.

## LXXX. 11.

*The Remonstrance of the Irish Catholics, presented to  
Charles the second in 1661.*

ALMOST immediately after the Restoration of Charles the second, his majesty advanced the marquis of Ormond,—so often mentioned in the preceding section,—to the dignity of duke, and appointed him to the lieutenancy of Ireland. The general body of the catholics hoped to find a friend in his grace; but he was distrusted by several,—and opinions on his conduct towards the catholics are still divided. In Mr. Plowden's Historical Review of the State of Ireland, strong facts and arguments are produced to fix on his administration, the charge of cruelty and duplicity: In Dr. O'Conor's Letters of Columbanus\*, his grace

\* The title of this singular work is, "Columbanus ad Hibernos; or, A Letter from Columbanus to his friend in Ireland, on the present mode of appointing Catholic Bishops in his native Country, 8vo." It appeared in seven numbers, in 1810—1816. The "Historical Addresses," which are inserted in it, "on the calamities occasioned by foreign influence in the nomination of bishops to the Irish sees," abound with important information. It is greatly to be wished, that the reverend author would favour the public with a full, temperate, and methodical history of the Irish catholics, since the Reformation. It is the greatest desideratum in the religious history of the catholics;—and no one, — *per se* modo viribus, is so well qualified for the execution of it, as Columbanus:—particularly on account of his access to the literary treasures at Stow, — without which, and the perusal of the Memoirs of the Nuncio Rinuccini, in the Holkham library, a complete history of the Irish catholics, during the

has found a powerful advocate: the testimonies too of archdeacon Lynch and father Walsh are highly favourable to him; and even Dr. Talbot, afterwards the catholic archbishop of Dublin, in his "Friar Disciplined," extols him. Still, in the opinion of the present writer, Mr. Plowden, to use professional language, has made a strong case against the lord lieutenant; but, before the duke is absolutely acquitted or condemned, much further investigation of his conduct seems to be necessary.

The part which he took respecting the document, to which the attention of the reader is now called,

period in question, cannot be written. The writer suspects that the Ormond manuscripts contain much important matter, which Carte has not brought forward;—but that still more interesting information might be found in the printed and manuscript collections in the Vatican.

"The Memoirs of the Nuncio," says Carte, in his preface to his Life of Ormond, "take up above 7,000 pages in folio, consisting of several volumes, and are written in Latin; the title of it being, 'De Hæresi Anglicanæ intrusione et progressu, et de bello catholico ad annum 1641, in Hiberniâ cepto, exindeque per aliquot annos gesto, commentarius.' It was wrote after the nuncio's death, by an Irish roman-catholic priest, whom Thomas Baptista Rinuccini, great chamberlain to the grand duke of Tuscany, employed to digest his brother's papers, and reduce them into the form of a narration."

The whig bishops of Columbanus are very interesting: many of them retired to St. Malo, an episcopal town on the coast of Brittany; and printed, in that city, several works of importance on the events of the times: these are now become extremely scarce. The writer employed a gentleman to search for them at St. Malo: he could not discover any; but found that the venerable exiles, their virtues and sufferings, were still remembered with respect.

has also been a subject of discussion.—It had been suggested to the general body of the Irish catholics, by all their friends, that it was highly advisable for them to come forward, in a prominent manner, in the congratulations addressed to his majesty, at his restoration; and that, on account of the prejudice raised against them, by the proceedings of the nuncio and the clergy who adhered to him, they should avail themselves of that opportunity to declare unreserved allegiance to the sovereign, and unqualified rejection of the ultramontane principle of the divine right of the pope to temporal power.

The measure was set on foot by Peter Walsh, a Franciscan friar, professor of divinity in his order, and then residing in London. He has left a full account of all that passed respecting it, in his "History and Vindication of the Loyal Formulary, or Irish Remonstrance; so graciously received by his majesty in 1661," a folio volume of 763 pages, closely printed, tediously written, and full of digressions; but abounding with curious and interesting matter.—We shall extract from it the following historical minutes.

1. At the time, of which we are now speaking, Edmund O'Reilly, archbishop of Armagh, Anthony Mac Geohegan, bishop of Meath, and Owen O'Swinney, bishop of Kilmore,—(who was then bed-ridden),—were the only three catholic prelates remaining in Ireland. The two first,—and James Dempsey, vicar-apostolic of Dublin and capitulary of Kildare,—Oliver Dease, vicar-gene-

ral of Meath, Cornelius Gaffney, vicar-general of Ardagh, Barnaby Barnewell, superior general of the Capuchins, father Browne, superior-general of the Carmelites, and father Scurlog, prior of the Dominicans, signed on the 1st of January 1660, old style, *a power of attorney, authorizing father Walsh to attend his majesty in their names*,—to congratulate him on his restoration,—to solicit the free exercise of their religion, and *the Graces* promised and confirmed to them, in 1648, by the marquis of Ormond \*. The procuration was afterwards signed by other ecclesiastics, and particularly the bishops subsequently appointed to the sees of Dromore, Ardagh, and Ferns.

The year 1660, and the greater part of the year 1661, passed without any further proceeding in this business; but, towards the close of the latter year, it was determined to present an address to his majesty, to the effect which has been mentioned. The framing of it was entrusted to Mr. Richard Bellings. He adopted the *Declaration*, inserted by father Cressy, in his “*Exomologesis*.” Of this work there are two editions; the first was printed at Paris in 1647, and contains the Declaration;—in the second edition, it is omitted.—It is expressed in the following words:

\* It has been explained, what the Graces were, which at this time the Irish catholics solicited.

2. " *To the King's Most Excellent Majesty;*

" *The humble Remonstrance, Acknowledgment,*

" *Protestation, and Petition of the Roman*

" *Catholic Clergy of Ireland.*

" YOUR majesty's faithful subjects, the roman-catholic clergy of your majesty's kingdom of Ireland, do most humbly represent this their present state and deplorable condition,

" That being entrusted by the indispensable commission of the King of kings with the cure of souls, and the care of their flocks, in order to the administration of sacraments, and teaching the people that perfect obedience, which for conscience sake they are bound to pay to your majesty's commands, they are loaded with calumnies and persecuted with severity.

" That being obliged by the allegiance they owe, and ought to swear unto your majesty, to reveal all conspiracies, and practices against your person and royal authority, that come to their knowledge, they are themselves clamoured against as conspirators, plotting the destruction of the English among them, without any ground that may give the least colour to so foul a crime to pass for probable in the judgment of any indifferent person.

" That their crimes are as numerous as are the inventions of their adversaries: and because they cannot with freedom appear to justify their innocence, all the fictions and allegations against them are received as undoubted verities: and,

“ which is yet more mischievous, the laity, upon  
“ whose consciences the characters of priesthood  
“ gives them an influence, suffer under all the  
“ crimes thus falsely imputed to them: it being  
“ their adversaries’ principal design, that the Irish,  
“ whose estates they enjoy, should be reputed  
“ persons unfit and no way worthy of any title to  
“ your majesty’s mercy.

“ That no wood comes amiss to make arrows for  
“ their destruction: for, as if the roman-catholic  
“ clergy, whom they esteem most criminal, were, or  
“ ought to be a society so perfect, as no evil, no  
“ indiscreet person should be found amongst them,  
“ they are all of them generally cried down for any  
“ crime, whether true or feigned, which is imputed  
“ to one of them; and as if no words could be  
“ spoken, no letter written, but with the common  
“ consent of all of them, the whole clergy must  
“ suffer for that which is laid to the charge of any  
“ particular person among them.

“ We know what odium all the catholic clergy  
“ lies under, by reason of the calumnies with which  
“ our *tenets* in religion, and our dependence upon  
“ the pope’s authority, are aspersed; and we humbly  
“ beg your majesty’s pardon to vindicate both, by  
“ the ensuing protestation which we make in the  
“ sight of Heaven, and in the presence of your ma-  
“ jesty, sincerely and truly, without equivocation or  
“ mental reservation.

“ We do acknowledge and confess your majesty  
“ to be our true and lawful king, supreme lord and  
“ rightful sovereign of this realm of Ireland; and

“ of all other your majesty’s dominions. And  
“ therefore we acknowledge and confess ourselves  
“ to be obliged, under pain of sin, to obey your  
“ majesty in all civil and corporal affairs, as much  
“ as any other of your majesty’s subjects, and as  
“ the laws and rules of government in this king-  
“ dom do require at our hands. And that not  
“ notwithstanding any power or pretension of the  
“ pope or see of Rome, or any sentence or decla-  
“ ration of what kind or quality soever, given or  
“ to be given by the pope, his predecessors or  
“ successors, or by any authority spiritual or tem-  
“ poral, proceeding or derived from him or his see;  
“ against your majesty or royal authority, we will  
“ acknowledge and perform, to the utmost of our  
“ abilities, our faithful loyalty and true allegiance  
“ to your majesty. And we openly disclaim and  
“ renounce all foreign power, be it either papal or  
“ princely, spiritual or temporal, inasmuch as it  
“ may seem able, or shall pretend to free, dis-  
“ charge, or absolve us from this obligation, or  
“ shall any way give us leave or license to raise  
“ tumults, bear arms, or offer any violence to your  
“ majesty’s person, royal authority, or to the state  
“ or government. Being all of us ready not only  
“ to discover and make known to your majesty and  
“ to your ministers all the treasons made against  
“ your majesty or them, which shall come to our  
“ hearing; but also lose our lives in the defence of  
“ your majesty’s person and royal authority, and  
“ to resist with our best endeavours all conspira-  
“ cies and attempts against your majesty, be they

“ framed or sent under what pretence, or patronized by what foreign power or authority soever.  
“ And further, we confess that all absolute princes and supreme governors, of what religion soever they be, are God’s lieutenants on earth, and that obedience is due to them according to the laws of each commonwealth respectively in all civil and temporal affairs. And therefore we do here protest against all doctrine and authority to the contrary. And we do hold it impious, and against the word of God, to maintain that any private subject may kill or murder the anointed of God, his prince, though of a different belief and religion from him ; and we abhor and detest the practice thereof as damnable and wicked.

“ These, being the tenets of our religion, in point of loyalty and submission to your majesty’s commands, and our dependence on the see of Rome no way intrenching upon that perfect obedience, which by our birth, by all laws divine and human, we are bound to pay to your majesty, our natural and lawful sovereign ; we humbly beg, prostrate at your majesty’s feet, that you would be pleased to protect us from the severe persecution we suffer, merely for our profession in religion ; leaving those that are, or hereafter shall be, guilty of other crimes (and there have been such in all times, as well by their pens as by their actions,) to the punishment prescribed by the law.”

3. Father Walsh delivered a copy of this address into the hands of the duke of Ormond : his grace

expressed himself to be generally satisfied with it; but observed, that, "till it was signed, it was bare 'paper.' Upon this, father Walsh procured a meeting of the bishop of Dromore, and about thirty Irish priests, then in London. It was signed by the bishop and twenty-four of the priests; the others excused themselves from signing it, on the ground of inconvenience or inexpediency; but all acknowledged, that they saw no objection to it, from any want of catholicity.—In about eight weeks after this time, a declaration, differing a little in the preamble, and in the petition at the close of the declaration, was signed by ninety-seven of the Irish nobility and gentry, who were then in London. It was presented to his majesty, and graciously received by him.

Some additional signatures of the clergy were afterwards obtained; particularly that of Lynch, bishop of Ferns, then resident at St. Malo.

4. *A formal opposition to the Remonstrance* soon took place:—it was headed by Mac Geohegan, bishop of Meath.—At this time, Hieronimus de Vecchiis, the pope's internuncio at Brussels, was entrusted, by the papal see, with the superintendence of the spiritual concerns of the Irish catholics.—In a letter, dated the 21st of July 1662, he signified to the Irish clergy, that "after most diligent discussions, at several meetings of most eminent cardinals and divines, the protestation had been found, like the returning hydra, to contain propositions, agreeing with others theretofore condemned by the see apostolic, particu-

“ larly by Paul the fifth, of happy memory, by a  
“ constitution in the form of a brief, and then lately  
“ in a congregation, purposely held to that end, by  
“ Innocent the tenth:—that the pope thought  
“ nothing further necessary, than that this very  
“ thing should be declared; and that the remon-  
“ strance was not to be permitted or tolerated;—  
“ that he even grievously resented, that, by the  
“ example of the ecclesiastics, the secular nobility  
“ of the kingdom of Ireland had been drawn into  
“ the same errors;—their protestation and sub-  
“ scription he did in like manner condemn.”

5. By a letter of the 8th of the same month of July, cardinal Barberini, in the name of the whole congregation *de propagandâ fide*, addressed a letter to the nobility and gentry of Ireland, condemning the remonstrances, “as containing propositions, theretofore condemned by the holy see\*.”

These letters of the cardinal and internuncio increased the opposition:—“ But,” says father Walsh, (p. 42), “ all the while, not even to the writing hereof, for so many years, since 1661, to the present,—about the year 1666,—there was

\* It is observable, that these declarations of the cardinal and the internuncio, demonstrate, that the real objection, the *cardo cause*, as it was justly termed by Widdrington,—(See vol. ii. p. 200 of this work), to the oath of allegiance, propounded by James the first, was its denial of the deposing doctrine. The Irish remonstrance does not describe that doctrine by any of the epithets used in the oath of James the first,—or by any other epithet. Most clearly, therefore, the doctrine itself was said, by the cardinal and the internuncio, to have been condemned, by the former bulls.

“ not, among such a multitude of pretences, any  
“ one, alledged by any, of unlawfulness, unconsci-  
“ entiousness, or uncatholicness, in point of faith,  
“ religion, or morality, in the subscription of that  
“ remonstrance, or of that declaration of alle-  
“ giance, or of the petition annexed thereunto.”  
He ascribes the opposition, which it received, to  
the prevalence of the ultramontane doctrine  
respecting the divine right of the pope to temporal  
power.

6. Still,—*the Remonstrance*,—for by this name  
the instrument was generally known,—gained some  
ground; forty-two additional signatures of Irish  
priests were obtained. A new form, of a declara-  
tion of allegiance, was proposed by the Irish Dominicans;  
three other forms, each stronger than  
the preceding, were proposed by the Irish jesuits.  
—All expressed a strong profession of allegiance;  
none disclaimed, in express terms, the right of the  
pope to the deposing power.

The dean and chapter of the English clergy, by a  
letter dated the 18th of October 1682, signed by  
Humphry Ellice, the dean, and addressed to the  
bishop of Dromore, informed his lordship, that, “ the  
“ remonstrance of the catholic clergy of Ireland,  
“ who subscribed it, had redeemed themselves from  
“ calumnies; had relieved the laity in their charge,  
“ from heavy pressures; and opened a door to li-  
“ berty of religion; by which,” says the dean, “ you  
“ have performed the office of good pastors, both  
“ in framing and subscribing your allegiance to  
“ your prince; to hold forth to the whole world

“ your religion pure and spotless; your religion  
“ built on a basis immovable; and yourselves, well-  
“ resolved subjects.”

The adversaries of the Remonstrance denounced it to the University of Louvaine. This was a great obstacle to the obtaining of further signatures from the clergy; but the additional signatures of eight Irish peers, and twenty-three commoners were obtained, by which, the number of the Irish nobility and gentry, who signed the instrument of remonstrance, amounted to 121; of these, twenty-one were peers.

7: Those who had signed the Remonstrance were desirous of procuring other signatures, and framed a letter to be circulated for this purpose, but *its circulation was prevented by the duke of Ormond.* With this, his grace was always reproached: the reason assigned in his defence, by father Walsh, is plausible. His grace, by his account, foresaw, that the generality of the Irish catholics would not sign it, unless it was previously signed by the clergy; and he wished, therefore, that it should be previously signed by these, before it was generally tendered to the laity.

8. In this stage of the business, the Faculty of Theology of the University of Louvaine, pronounced a formal condemnation of the Remonstrance.—Against this condemnation, father Caron, a Franciscan, published his “ *Defensio Remonstrantiae Hibernorum adversus Lovanienses ultramontanas—que censuras,* ” a work, generally esteemed, and abounding in instructive and interesting information.

By a letter of father Henry di Redderi, a commissary-general of the order,—father Caron, and all the other friars, who had signed the Remonstrance, were ordered to Rome, to account for their conduct. Father Caron and father Walsh refused to obey this order, on the ground, that the king refused them his permission to leave the kingdom; and that, to leave it without his permission, was treason by the ancient laws of England and Ireland.

9. Thus the Remonstrance still continued a subject of controversy. Various *other formularies* were proposed: but none contained an explicit declaration, that the pope had, in no possible case, a divine right to the deposing power. The duke of Ormond uniformly declared, that nothing, short of this, would satisfy him. Under this impression, he persisted in requiring a general and uniform subscription of the Irish clergy to the Remonstrance, delivered to him by father Walsh:—by this, he thought it sufficiently expressed.

10. With the license of Ormond, a *congregation of the catholic clergy*, for its discussion, was convened at Dublin. Fifty-three ecclesiastics attended it. Among these, were the archbishop of Armagh, primate of all Ireland, the bishop of Ardagh, and the bishop of Kilfinuragh. The last had the proxy of the archbishop of Tuam. The other members of the assembly were vicars-apostolic, vicars-general, superiors of regular orders, and divines, brought by the bishops, or the superiors of the regulars.

11. On Monday, the 11th of June 1666, the congregation held their *first sitting*, and elected the

bishop of Kilfinuragh for their president, and Nicholas Redmond, vicar-general of Ferns, for their secretary.

On the following day, the 12th of June, they held their *second sitting*, examined the qualifications of the members present; and verified the proxies.

In the evening, Reilly, the archbishop of Armagh, and catholic primate of Ireland, arrived in Dublin, and produced a letter from Rospigliosi, the pope's internuncio at Brussels, deprecating the signature of the Remonstrance, and calling it the work of some nefarious brethren.

On Wednesday, the 13th of June, the congregation held their *third sitting*: sir Nicholas Plunket, sir Robert Talbot, and John Walsh, esq. delivered to them the following message from the lord lieutenant:

“ That it is too well known to divers persons, in  
“ the present meeting of the Romish clergy in this  
“ city of Dublin, what attempts have been made upon  
“ the royal authority in this kingdom, under colour  
“ of the pretended authority, power, and juris-  
“ diction of the pope; and how far those attempts  
“ prevailed in keeping many of the people from re-  
“ turning to their due obedience to the crown, and  
“ in withdrawing divers of those from it, who were  
“ returned to it, hath sufficiently appeared, not  
“ only by the violation of the peace granted them  
“ by his majesty's gracious indulgence and cle-  
“ mency, but also of the faith of the then confede-  
“ rate roman-catholics, by the instigation, pro-  
“ curement, and pretended authority of Rinuccini

“ the pope’s nuncio in the year 1646, and by the  
“ proceedings of the titular bishops at Jamestown  
“ in the year 1650.

“ Secondly, That divers of the nobility, and  
“ gentry of Ireland, and of the said clergy, in  
“ January and February 1661, calling to mind  
“ those attempts, and the deplorable consequence  
“ thereof to the crown, and to themselves, pre-  
“ sented his majesty with a remonstrance and pro-  
“ testation of their loyalty to his majesty, and of  
“ their renunciation and detestation of any doctrine  
“ or power, from whence such practices might be  
“ deduced; to which remonstrance and protesta-  
“ tion, divers others of the nobility and gentry, and  
“ most of the said clergy resident in this kingdom,  
“ have not yet subscribed; although more than  
“ four years are effluxed, since the same was first  
“ presented to his majesty.

“ Thirdly, That the said clergy (whose example  
“ and encouragement the laity of their profession  
“ may possibly expect) have delayed their sub-  
“ scriptions, on pretence that they wanted the li-  
“ berty of advising and consulting, which they  
“ conceived necessary in a matter of so great im-  
“ portance, which being now admitted to them  
“ with freedom and security: it is expected that  
“ they should make use thereof, for asserting and  
“ owning his majesty’s royal authority, to the satis-  
“ faction of all his majesty’s good subjects, and to  
“ the particular advantage of the said clergy them-  
“ selves, and those of their religion, and employ  
“ the time that for that purpose will be allowed

" them, which neither can, nor need be long, both  
" in respect of the present conjuncture of affairs;  
" and for that it may reasonably be presumed, that  
" in four years time the said remonstrance and pro-  
" testation is sufficiently understood, and may be  
" speedily resolved upon."

The bearers of the message were received and dismissed with great respect. Father Walsh then made an harangue,—learned, sensible, but very prolix, and full of digressions. Its object was to show the orthodoxy of the Remonstrance; the expediency of its signature by the members of the congregation, and the fatal consequence of withholding them. The father's harangue was heard with attention and respect: but no debate upon it ensued; neither was the message from his excellency taken into consideration.

The congregation held their *fourth sitting*, on Thursday, the 14th of June. The members resolved not to sign the Remonstrance,—nor even discuss it; but to sign another profession of allegiance; and not to petition for any pardon of former misconduct imputed to the body. Against these resolutions, father Walsh strenuously remonstrated: In the evening, the primate Reilly, accompanied by father Walsh, waited on the lord lieutenant. His excellency received them with great courtesy; but intimated to the primate, his opinion of his former misconduct; and strongly recommended to him that the clergy should avail themselves of the present opportunity of redeeming their past offences to the state.

On Friday, the 15th of June, the congregation held their *fifth sitting*, and Mr. Richard Bellings attended them, with the following message from the lord lieutenant.

“ That I understand it is reported, I intend in a few days to leave this city, and that it is thence apprehended by those of the Romish clergy now met here, that they may not have time to consider of and conclude upon the business, for which their meeting is permitted, namely, for subscribing to the Remonstrance and Protestation subscribed and presented to his majesty, in January and February 1661, by divers of the nobility, gentry, and Romish clergy:—whereupon I think it fit to let them know, I have no purpose of leaving this city so soon, but that they may have time enough to resolve upon subscribing the said Declaration and Protestation, which contains nothing but a necessary and dutiful acknowledgment of the loyalty they owe his majesty, and a condemnation of all doctrine and practice contrary thereto. And I think fit further to put them in mind, that such an opportunity as this, hath not been given to them, or to their predecessors; and if now lost, may not perhaps be easily or quickly recovered.”

This message produced no effect on the assembly. Father Walsh then pressed the members to sign a formal declaration, drawn up by him, that “ they saw nothing in the Remonstrance, contrary to catholic faith, or which might not be owned or subscribed with a safe and good conscience:”—

This, they declined.—Finally, the father proposed, that they should appoint a committee of their best divines, to examine the Remonstrance, article by article, and report their opinion upon it:—This also they declined.

Another instrument now became a subject of discussion. On the 4th of May 1663, the faculties of theology at Paris, came to six resolutions respecting the civil and temporal power of the pope,—his superiority over a general council,—and his personal infallibility. The three first of these resolutions the committee adopted at their *sixth sitting*,—it took place on the 16th of June.—They presented a petition to his excellency, acknowledging “the favour “ which he had done them, in allowing them to “ meet and hold a free conference, and to concur “ in a remonstrance and protestation of their true “ loyalty to his majesty, wherein they resolved in-“ viably to continue;—which they beseeched his “ grace to accept from them;—and to present to “ his majesty, the protestation of allegiance, pre-“ pared by themselves, and so unanimously agreed “ upon, that there was no dissenting voice.”—Their protestation was expressed in the following words:

“ *To the King's most Excellent Majesty,*  
“ *Charles the second, King of Great*  
“ *Britain, France, and Ireland.*

“ WE your majesty's subjects, the roman-catho-“ lic clergy of the kingdom of Ireland together “ assembled, do hereby declare, and solemnly pro-“ test before God and his holy angels, that we

“ own and acknowledge your majesty to be our  
“ true and lawful king, supreme lord and undoubted  
“ sovereign, as well of this realm of Ireland, as of  
“ all other your majesty’s dominions; consequently  
“ we confess ourselves bound in conscience to be  
“ obedient to your majesty in all civil and tempo-  
“ ral affairs, as any subject ought to be to his  
“ prince, and as the laws of God and nature require  
“ at our hands. Therefore, we promise that we  
“ will inviolably bear true allegiance to your ma-  
“ jesty, your lawful heirs and successors, and that  
“ no power on earth shall be able to withdraw us  
“ from our duty herein. And that we will even-  
“ to the loss of our blood, if occasion requires,  
“ assert your majesty’s rights against any that shall  
“ invade the same, or attempt to deprive yourself or  
“ your lawful heirs or successors of any part  
“ thereof. And to the end this our sincere protes-  
“ tation may more clearly appear, We further de-  
“clare that it is not our doctrine that subjects may  
“ be discharged, absolved, or freed from the obli-  
“ gation of performing their duty of true obedience  
“ and allegiance to their prince; much less may  
“ we allow of or pass as tolerable, any doctrine  
“ that perniciously and against the word of God  
“ maintains, That any private subject may lawfully  
“ kill or murther the anointed of God, his prince.  
“ Wherefore, pursuant to the deep apprehension  
“ we have of the abomination and sad conse-  
“ quences of its practice, we do engage ourselves  
“ to discover unto your majesty, or some of your  
“ ministers, any attempt of that kind, rebellion, or

“conspiracy against your majesty’s person, crown,  
“or royal authority, that comes to our knowledge,  
“whereby such horrid evils may be prevented.  
“Finally,—as we hold the premises to be agree-  
“able to good conscience, so we religiously swear  
“the due observance thereof to our utmost, and  
“will preach and teach the same to our respective  
“flocks. In witness whereof, we do hereunto  
“subscribe, the 15th day of June 1666.”

The congregation accompanied this protestation with the three following propositions, the terms of which are exactly conformable to those of the three first resolutions in the Parisian declaration.

## I.

“WE do hereby declare, That it is not our  
“doctrine, that the pope hath any authority in  
“temporal affairs over our sovereign lord king  
“Charles the second; yea, we promise that we  
“shall still oppose them, that will assert any power,  
“either direct or indirect, over him in civil and  
“temporal affairs.

## II.

“That it is our doctrine, That our gracious  
“king Charles the second is so absolute and in-  
“dependent, that he acknowledgeth not, nor hath  
“in civil and temporal affairs, any power above  
“him under God: and that to be our constant  
“doctrine, from which we shall never decline.

## III.

“ That it is our doctrine, That we subjects owe  
“ such natural, and just obedience unto our king,  
“ that no power, under any pretext soever, can  
“ either dispense with us, or free us thereof.

“ *Edmund*, archbishop of Ardmagh, and  
“ primate of all Ireland.

“ *Andrew*, bishop of Kilfinuragh,  
“ chairman.”

“ Nicholas Redmond, secretary.”

At the *seventh meeting*, nothing important seems to have taken place; but, at the *eighth*,—which was held on Monday the 18th of June,—the assembly received a third message from his excellency, in which he observed to them, that, “ together with the propositions, sent and signed by them, there were three material propositions omitted, which might as well be appropriated to his majesty, and the kingdom of Ireland, as the others were.”

This message, the congregation discussed at their *ninth sitting*.—*On the tenth*, which was held on the 20th of June, they presented to his excellency the following petition:

“ To his Grace the Lord Duke of Ormond,  
“ Lord Lieutenant of Ireland.

“ The humble petition of the roman-catholic  
clergy of Ireland,

“ Sheweth, That your petitioners have of late  
subscribed and presented to your grace a remon-

" strance, manifesting the obligations of duty and  
 " loyalty which your petitioners do, and ever shall  
 " owe unto their sovereign lord the king, and  
 " withal subscribed three propositions, which they  
 " humbly conceived did conduce unto a further  
 " setting forth of the principles of their loyaltie,  
 " thereby endeavouring to give your grace all pos-  
 " sible satisfaction; and as touching the three pro-  
 " positions sent unto them for to be subscribed,  
 " they now return the annexed of the motives, why  
 " they did not sign them, for your grace's further  
 " satisfaction, hoping it may meet the success they  
 " wish for.

" It is therefore the most humble request of your  
 " petitioners, that your grace will be favourably  
 " pleased to dismiss them; and the rather, because  
 " most of them have not wherewithal to defray so  
 " long and chargeable attendance in this city.

" And your petitioners shall pray."

To this petition they added a paper, containing  
 their reasons, for not signing the three other pro-  
 positions.

They first give the following translation of the  
 propositions.

#### IV.

" That the same faculty doth not approve, nor  
 " ever did, any propositions contrary unto the  
 " French king's authority, or true liberties of the  
 " Gallican church or canons received in the same  
 " kingdom; for example, That the pope can depose  
 " bishops against the same canons.

## V.

“ That it is not the doctrine of the faculty, That  
“ the pope is above the general council.

## VI.

“ That it is not the doctrine or dogme of the  
“ faculty, That the pope without the consent of  
“ the church is infallible.”

## VII.

They then give the following reasons for not signing them.

“ Because we conceive them not any way ap-  
“ pertaining to the points controverted; and though  
“ we did, we thought we had already sufficiently  
“ cleared all scruples, either by our former remon-  
“ strance, separately or jointly with the first three  
“ propositions we had already subscribed.

“ And as to the fourth, we looked upon it as  
“ not material in our debate: for either we should  
“ sign it, as it was conceived in the French original  
“ copy, and we thought it impertinent to talk of the  
“ French king’s authority, the Gallican privileges  
“ and canons, from whence they derive their immu-  
“ nities, &c. or that we should have inserted them  
“ *mutatis nominibus*, the names being only changed,  
“ and then we conceived not, what more we might  
“ have said, than had been touched already posi-  
“ tively in the remonstrance; neither do we admit  
“ any power derogatory unto his majestie’s autho-

“ rity, rights, &c. yea, more positively than doth  
“ the French proposition as may appear.

“ As to the 5th, we thought it likewise not  
“ material to our affair to talke of a school ques-  
“ tion of divinity controverted in all catholick uni-  
“ versities of the world,—whether the pope be  
“ above general council or no? whether he can  
“ annul the acts of a general council or no? dis-  
“ solve the general council, or whether contrari-  
“ wise, the council can depose the pope, &c.?  
“ Secondly, we conceive it not only impertinent  
“ but dangerous in its consequence, and unseason-  
“ able to talk of a question which without any  
“ profit, either to the king or his subjects, may  
“ breed jealousie between the king and his sub-  
“ jects, or may give the least overture to such  
“ odious and horrid disputes, concerning the power  
“ of kings and commonwealths, as our late sad  
“ experience hath taught us.

“ The 6th regards the pope’s infallibility in  
“ matters of faith, Whether the pope, not as a  
“ private doctor, but with an especial congregation  
“ of doctors, prelats, and divines deputed, can  
“ censure and condemn certain propositions of  
“ heresie? or whether it be necessary to have a  
“ general council from all parts of the world to  
“ decide, define, censure, and condemn certain  
“ propositions of heresie? The Jansenists already  
“ condemned of heresie by three popes, and all the  
“ bishops of France, to vindicate themselves from  
“ the censure, contest the first way; they write in  
“ their own defence, and many more against them.

“ On which subject is debated the *questio facti*, whether the propositions condemned as heresie by the pope, be in the true sense and meaning of the Jansenists or no? whether in his book or no? as may appear by such as we can produce, if necessary.

“ The universities of France say, That it is not their doctrine, that the pope, &c. Whether this touched our scope or no, we leave it to all prudent men to judge. If they think it doth, let them know, that we should not hould the pope’s infallibility if he did define any thing against the obedience we owe our prince. If they speak of any other infallibility as matter of religion and faith; as it regardeth us not, nor our obedience unto our sovereign, so we are loath, forraign catholic nations should think we treat of so odious and unprofitable a question, in a country where we have neither universitie nor Jansenist amongst us, if not, perhaps some few particulars, whom we conceive under our hand to further this disturbance to the disturbance of both king and country.”

On the following day, the primate reported to the congregation then assembled, in their *eleventh sitting*, that the petition and paper of reasons had been unfavourably received by his excellency. At the request of the congregation, father Walsh waited on his excellency, and requested his leave for their continuing to hold their sittings for three days more. To this application his excellency readily consented. In consequence of it, a committee was formed, and took into its consideration the three contested articles.

At their *twelfth sitting*, which was held on the following day, the committee reported against them : the three first were then solemnly signed : and, on the thirteenth of June they were presented to his excellency, by two deputies from the congregation. His excellency received them coolly, and told them, that, "he should represent to his majesty both them " and their instruments, as they deserved."

In the mean time, two secular priests, two Dominicans, and fourteen Franciscans, of the town of Wexford, addressed an expostulatory letter to the congregation, urging them in very strong terms, and by very pressing arguments, to sign the original remonstrance. The letter was read at the *fourteenth sitting* of the congregation : but produced no effect.

The *fifteenth and last sitting* of the congregation was held on the 25th of June. The deputies made their report of the manner in which his excellency had received their tender of the three articles.— An offer was made to father Walsh, by the whole congregation,—to raise, from the clergy, a large sum of money to defray the expenses which he had incurred, and was likely to incur, in his exertions to serve them ;—“ And to give him the best “ testimonials, and even the most special commen- “ datory letters too, signed by the whole congre- “ gation in his behalf, and superscribed to the court “ of Rome, papal ministers, cardinals, and even to “ his holiness.”—Both these honourable offers, father Walsh respectfully refused.

12. Then addressing himself for the last time to

*the congregation, he* requested their attention to three points :—The first was a recommendation, that, in their public service, they should always pray for the spiritual and temporal prosperity of the king, and observe the public days of fasting and prayer, enjoined by government.—The congregation agreed, that the clergy and laity should be directed to pray for the happy success of king Charles the second, the queen, and all the royal family, and of the duke of Ormond.

The second point, to which father Walsh called the attention of the congregation, respected certain miracles supposed to have been wrought by father James O'Finactui, a Franciscan friar.—In a speech, prolix as usual, but not unentertaining, he related and exposed the Franciscan's practices. The whole congregation treated them as absolute impositions ; and declared, that the exhibitions and feats should be everywhere discredited and prohibited.

The third point was of more consequence ;—the father produced two works ; the first was intituled, *Disputatio Apologetica de Jure regni Hiberniae, pro catholicis Hibernis adversus haereticos Anglos* ; with an appendix, intituled, *Exhortatio ad Catholicos Anglos*. It was said, in the title, to be printed at Frankfort, *superiorum permisso* ; but was supposed to have been printed in Portugal : its author was an old Irish jesuit, residing in that kingdom, by name Constantine, or Cornelius, (in Irish, Con, or Cnochoor), and by surname O'Mahony, a native of Munster. The object of it was to show, that no king of England had any right to the kingdom of

Ireland, and that the old natives themselves might and ought to choose a king, and throw off the yoke of heretics and foreigners. In the nuncio's time, many copies of this treatise had been privately dispersed; but, in 1648, the work came to the knowledge of the supreme council, and by their orders was publickly burned, in that year, by the hangman at Kilkenny.

The other book was composed by Richard Ferral, a capuchin friar, and is the same, in effect, as the former. It was published about 1658, with the title, "*Ad sacram congregationem de propagandâ fide: Hic, authores et modus eversionis religionis catholicæ in Hibernia recensentur; et aliquot remedia pro conservandis reliquiis catholicæ religionis et gentis proponuntur.*" Against this work archdeacon Lynch published his *Alithinologia, sive veridica Responsio ad Invectivam mendaciis, fallaciis calumniis & imposturis fætam, in plurimos antistites, proceres, et omnis ordinis Hibernos, a R. P. R.* —

*F—C—, congregationi de propagandâ fide: Anno Domini 1658 exhibitam;* — Against the same work, Lynch subsequently published his *Supplementum Alithinologiae.*

Father Walsh exposed the wickedness and folly of both the works; and the assembly, without a dissenting voice, decreed them both to be burned. The capuchins present declared, that the general chapter of the capuchins had condemned both father Ferral and his work.

13. Here the *assembly closed*: the president pronounced the formal words of dismissal, *Ite in pace,* and the members separated.

On the result of this celebrated assembly, the reader will make his own observations. He will naturally read the two forms of remonstrance, compare them with each other ; compare both with the oath of allegiance proposed by James the first, and the oaths of allegiance now taken by the English and Irish catholics ; and examine in what they differ. When he has formed his opinion on this point, it will not be difficult for him to form a just and important conclusion.

14. It has been frequently asserted, that, in allowing the assembly to meet, and insisting on the exact terms of the formulary, the real object of the duke of Ormond, was to effect a division in the catholic body ; and particularly in its clergy. The proofs, by which this assertion is supported, are very strong. Dr. Curry\* cites a letter, written by the earl of Cork to the duke of Ormond, in 1666, the year of the meeting, in which, his lordship suggests to the duke's consideration, whether it were not a fit season to make that schism, which "you," says his lordship, addressing himself to the duke, "have " been sowing among the popish clergy ; so as to " set them at open difference, as we may reap some " practicable advantage thereby."—The duke himself seems to have explicitly avowed that this was his object in permitting the meeting. Carte † informs us, that when some of the political adversaries of his grace reproached him with favouring the catholics, during his administration, and in-

\* Hist. Review, b. ix. c. 14.

† Life of Ormond, vol. ii. Appendix.

stanced, in proof of it, his permission of the synodical meeting of the catholic clergy, the duke frankly declared, that " his aim, in permitting that meeting, " was to work a division of the Romish clergy." —How very different, in 1791, was the conduct of Mr. Pitt;—who, in that year when a division had broken out in the catholic body, then petitioners to parliament for relief, nobly composed the difference, and annihilated the subject of contention !

## LXXX. 12.

*Biographical Memoir of Father Walsh.*

THE writer feels it incumbent on him to apprise his readers, that his account of the Remonstrance is taken, almost entirely, from the history published of it by father Walsh. The title of his work is, " *The history and vindication of the Loyal Formulary, or Irish Remonstrance, so graciously received by his Majesty, anno 1661,—against all Calumnies and Censures. In several Treatises, with a true account and full discussion of the Delusory Irish Remonstrance, and other papers framed and insisted on, by the National Congregation at Dublin, anno 1666; and presented to his Majesty's then Lord Lieutenant of that kingdom, the duke of Ormond; but rejected by his Grace. To which are added Three Appendixes: Whereof the last contains, the Marquis of Ormond Lord Lieutenant of Ireland, his long and excellent Letter of the 2d of December 1650. In answer to*

*“ both the Declaration and Excommunication of the  
“ Bishops, &c at James Town. The author, Father  
“ Peter Walsh of the Order of St. Francis, Pro-  
“ fessor of Divinity. Melior est Contentio Pietatis  
“ causd suscepta, quam vitiosa concordia. Greg.  
“ Nazian. Oratio I. pro pace. Printed Anno  
“ MDCLXXIV.”*

Two other works of father Walsh are in the possession of the writer:—“ *Causa Valesiana, epistolis  
ternis prælibata: in antecessum fusioris Apologiæ.  
Quibus accesserunt appendices duæ; una instrumen-  
torum: altera de Gregorio VII, additamentum.  
Authore J. Petro Valesio. Ord. S. Francisci Stricti  
Obser. S. T. Professore.*” 1684. 8vo.—It is followed by an *Additamentum de Carono*—containing a short account of the life and last hours of father Caron, the collaborator of Walsh, in his efforts to obtain signatures to the Remonstrance. The other work of father Walsh possessed by the writer, is his “ *Four Letters on several Subjects, to Persons of  
“ Quality. The fourth being an Answer to the Lord  
“ Bishop of Lincoln’s Book, intituled, Popery, &c.  
“ By Peter Walsh of St. Francis’s Order, Professor  
“ of Divinity,*” 1686. 8vo. Each of these works is extremely curious, and extremely rare. Father Walsh also published, “ *A more ample Account*” of the proceedings respecting the Irish Remonstrance, and “ *A Prospect of the State of Ireland from the  
“ Year of the World 1156, to the Year of our Lord  
“ Christ 1682;*” but he brought it down no further than the year of the world 1652.—It was printed in 1682. An account of his life is given by sir

James Ware, and, from him, by Mr. Chalmers, in his *General Biographical Dictionary*. Frequent mention of him is also made by Dr. O'Conor, in his letters of *Columbanus ad Hibernos*.

Walsh was born at Moortown in the county of Kildare, in the early part of the 17th century. He entered into the Franciscan order, and was professor of divinity at Louvaine. The principal event in his life, was the part which he took in the proceedings respecting the Irish Remonstrance. For this, he and all who signed it were persecuted ; and he, father Caron, and other signing friars, were cited to Rome ; but father Walsh and father Caron were ordered by his majesty not to quit the kingdom. Speaking of those who signed the Remonstrance, Carte \* mentions " that they were denounced, ex- " communicated, and persecuted with so much " violence and fury, that they were on the point of " starving in their own country †."

\* Life of Ormond, vol. ii. p. 414.

† Five excommunications are mentioned in this chapter :— The first by the nuncio, against those who adhered to the treaty made with the marquis of Ormond, for a cessation of arms ;—the second, also by the nuncio, against those who adhered to the peace made with the earl of Inchiquin ;—the third, by the bishops assembled at Jamestown, against those who adhered to the peace finally concluded with the marquis ;—the fourth, against those who signed the Irish Remonstrance ;—the fifth, against father Walsh, father Caron, and others, who signed that instrument, and did not obey the decree which cited them to Rome. Other excommunications were issued : " The nuncio," says Carte, (Life of Ormond, vol. ii. p. 33), made his spiritual censures cheap, by thundering them " out on trifling occasions, in civil matters, and even in his

When this happened, the duke of Ormond, who had then quitted the lieutenancy of Ireland, "in-

" own private concerns ;—particularly for bringing the captain of his own vessel to account, for the prizes he had taken " in a piratical way of cruising at sea." Of all the excommunications which we have mentioned, the first was the most solemn. An application to Innocent the tenth, for its removal; was unsuccessfully made in 1648. Pope Alexander the seventh, by a brief, dated the 27th of August 1655, authorized the bishops of Raphoe, Laughlin, Clonfert, and Corke, or any of them, to absolve, from Rinuccini's apostolical censures, all who were subject to them. It has been asserted, that the absolution was to be granted on the humiliating condition, that the parties should submit to prostrate themselves on the ground, and receive a flagellation on their bare shoulders ; but for this, there seems to be no ground. The brief is printed at length in the supplement to Burke's *Hibernia Dominicana*, p. 919. It imposes no such condition, and only requires that the absolution should be solicited with humility ; and that some kind of penance, at the discretion of the delegates, should be imposed : *impositū singulis, aliquā, arbitrio vestro, pénitentia salutari.* It has also been said, that an unconditional absolution was not granted till 1698 †.

These abuses of church authority, it is painful to relate : but, when the integrity of history requires the mention of them, or even the mention of the failures of the supreme pastor of the church, it becomes an historic duty : " An historian," says Cicero, " should be equally fearful of suppressing " what is true, and of writing what is false."—The examples of the sacred penmen show, that this is as much a rule of christian morality, as a precept of sound criticism. If the evangelists did not throw a veil over the crime and frailties of Peter, nothing makes it our duty to throw a veil over the crimes or failings of Peter's successors. It must be added, that where the rule, laid down by Cicero, is not observed, the

---

† If even then. See Macpherson's State Papers, vol. i. p. 576.

“vited Walsh,” says Dr. O’Conor\*, “to his house “and settled upon him a pension, during life, of writer may be a useful partisan, or indite edifying tales, but cannot claim for his writings the praise of authentic history.

In the course of this work the writer has frequently cited the *Hibernia Dominicana* of father Burke, a former catholic bishop of Ossory. It is a quarto of 797 pages, and is followed by a supplement, which begins at page 801, and extends to page 949, inclusively. In most copies, the pages from 136 to 147 have been taken out. The only copy seen by the present writer, which contains these pages, is in the possession of lord Arundell of Wardour, and it could not be in more liberal hands. The *Hibernia Dominicana* is a curious and important work,—the fruit of great research, and written with elegance and method.—But ultramontanism, often in its extreme bearings, too frequently appears. It gave great offence; and the catholic bishops of Munster, assembled at Thurles, in July 1775,—together with the bishop of Tuam, then casually in that city,—signed a declaration, expressing “their entire disapprobation “of the work and the supplement, because they tended to “weaken and subvert that allegiance, which catholics acknowledge themselves to owe, from duty and from gratitude, to “king George the third.” Before this time, father Burke had incurred much blame by his violent reprobation of an oath of allegiance, required of the roman-catholic clergy, by an act of the year 1756-7, and sanctioned by all the other catholic prelates in Ireland.

In 1775, the doctors of the faculty of divinity at Paris, were consulted by the catholic prelates of Ireland, on the form of an oath, then proposed to be taken by the general body of Irish catholics. It consisted of four articles; the persons taking it, were made,—by the first, to profess that the pope neither had, nor ought to have, directly or indirectly, any temporal or civil power in Ireland;—by the second, to disclaim the doctrine, that it is lawful to kill, destroy, or break faith with heretics;—by the third, to reject the opinion, that princes excommunicated by the pope, or any other authority, may be deposed or

\* Columbanus, No. ii. p. 260.

“ 100*l. per annum*, equal to 200*l.* now; and allowed  
“ him free access to his person, on terms of easy  
“ friendship and familiarity, throughout a course of  
“ forty years. Overpowered by kindness, and pos-

put to death by their subjects, or any other person;—and by the fourth, to declare, that no power on earth could dispense with the obligations contracted by that oath. Sixty doctors of the sacred faculty, signed, on the 6th of November 1775, an opinion, that the oath might be lawfully taken. On the third article of it, they aver, that “ the doctrine on the murder and “ deposing of kings, is evidently bad in two ways;—it is *materialiter* heretical, that is, contrary to the word of God, so far “ as it expresses that princes may be deposed; and *formaliter* “ heretical, inasmuch as it superadds the lawfulness of putting “ them to death, agreeably to what was observed in the year “ 1680, by fifty-nine doctors of the faculty of Paris, who gave “ the same opinion concerning the oath formerly prescribed “ in England by James the first.” *Doctrina de cæde et depositione principum, in duplex vitium incurrit; ut nempe sit hæretica materialiter, id. est, verbo Dei contraria, quatenus deponi posse principes effert: formaliter vero etiam, quatenus et occidi posse superaddit:* Prout Anno Domini 1680, observatum fuit a 59 doctoribus Parisiensibus, qui memoratum supra sententiam, dixere, circa sacramentum Anglicanum, a Jacobo primo, quondam prescriptum.—These facts respecting the Hibernia Dominicana of Dr. Burke, and the opinion of the doctors of the university of Paris, are taken from, “ A Justification of the Tenets of the Roman-“ catholic Religion, and a Refutation of the Charges brought “ against its Clergy by the right reverend Lord Bishop of “ Cloyne:—By Dr. James Butler, the catholic archbishop of “ Cashell,” 8vo. 1787. On the epithets *material* and *formal*, used by the Parisian doctors, the right reverend prelate observes, that they are school terms: that “ a doctrine is called *materialiter* “ heretical, when contrary to the word of God, though not yet “ condemned as such;—and that, when condemned by the “ authority of the church, it is called by the schoolmen *formaliter* heretical.”

“ sessed of a grateful and warm heart, Walsh knew  
“ not how to make any return: he was grieved to see  
“ in the duke’s disposition a sternness of attachment  
“ to his own opinions, which was carried to the  
“ unjustifiable length of shutting his eyes and ears  
“ to all arguments, whether good or bad, which  
“ might be urged against them.—Under these im-  
“ pressions of affectionate attachment on one side,  
“ respect for the duke’s opinions on another, and  
“ the fear of giving him offence, Walsh never  
“ ventured, however he might wish, to speak to  
“ him on the subject of a true church.

“ At length, however, when he saw Ormond de-  
“ clining in health, advanced in age, and standing,  
“ as he thought, on the verge of the grave, he took  
“ courage; and going into his closet, asked, as a  
“ last favour, that, after an intimacy of near forty  
“ years, the duke would allow him to state his own  
“ reasons for adhering to the ancient church, in  
“ spight of all the scandals which prevailed amongst  
“ its professors; he showed how unreasonable it  
“ was to confound abuses with the genuine doc-  
“ trines of true catholicity; and then, throwing  
“ himself on his knees, he entreated him, in the  
“ name of the Redeemer, not to die without the  
“ sacraments of reconciliation.—‘ Walsh,’ said the  
“ duke, ‘ I see you are in good earnest; but, if  
“ you thought my situation dangerous, so good a  
“ friend as you ought to have admonished me  
“ sooner; I cannot now embrace, what I see so much  
“ cause to condemn.’ Walsh would have replied;  
“ —but the duke showing reluctance, he rose, and

“ left the room, much agitated by such a separation, from such a friend.—It was the agitation of an affectionate and an honest mind; of a man whose hairs were grey from age, and whose features were wrinkled by persecution.—What effect it had on Ormond’s mind, God only knows.—“ There are precious moments, when the voice of an inscrutable God penetrates to the heart.—The remainder is a secret, which rests deposited in the minds of two men, who, notwithstanding the difference of sphere in which they moved, were tied to each other by a long experienced fidelity, and an attachment, which the severest trials could never dissolve.”

Father Walsh is mentioned with esteem by bishop Burnet and Dodwell; both, however, insinuate, that the father’s catholicity hung very loosely upon him; but their insinuations should be received with some distrust, as the experience of every day shows, that, when a catholic disclaims tenets, *erroneously imputed* by protestants to the members of his communion, as doctrines of their church, the catholic is too easily suspected of not believing all that real catholics believe.

Several pamphlets, one, in particular, intituled “The Friar disciplined,” by Talbot, afterwards catholic archbishop of Dublin, were published against father Walsh. None of these have come into the hands of the present writer; so that his own opinion of the character of father Walsh, rests altogether on his History of the Remonstrance, and the facts mentioned of him by Dr. O’Conor. From

these, he suspects, that the father's real crimes were his rejection of the pope's temporal power, and the works, in which he opposed that unfounded and calamitous doctrine.

Father Walsh died in London, in September 1688, and was buried in St. Dunstan's in the West.

A few months before he died, he signed a declaration, of which we shall give a translation, and subjoin to it a copy of the original.—“ I, brother Peter Walsh, a priest of the order of St. Francis, of the stricter observance;—ascribed to the Irish province;—submit, before God, and the witnesses called for this purpose, and subject, from my soul, all and every the books, which I have ever written or printed, in any language, to the examination and judgment of the holy roman catholic church, and the vicar of Christ on earth, the Roman pontiff; and from my soul, I retract, condemn, repent of and reject, whatever shall be found in them, erroneous, scandalous, or in any wise noxious to the catholic faith, sound doctrine, good morals, or to any men: Promising, if life and strength remain, that all things which, in my said works, shall appear such as ought to be condemned or suppressed, I will expressly and from my soul, even in print, so far as the case requires, retract: and that I will always submit my own judgment to the church and my superiors; as I now truly submit, as an humble and obedient son of the church and the seraphic order. In testimony of which, I have subscribed this declaration with my own hand. Dated the 13th

“ of the month of March 1687, old style, and the  
 “ 23d day of the same month of March 1688,  
 “ new style.

“ Peter Walsh.”

“ Brother Jo. Everard, Franciscan, present.  
 “ Brother Benedict Macarthy, Cistercian, present.  
 “ Brother Francis Forster, Franciscan, present\*.”

It should be added, that the authenticity of this retractation rests altogether on the circumstance, that a copy of it, in the hand-writing of a respectable contemporary, but without any attestation, has been discovered.

\* “ Ego, frater Petrus Valesius, sacerdos ordinis S. Francisci, strictioris observantiae, provinciae Hiberniae adscriptus;  
 “ submitto, coram Deo et testibus ad hoc vocatis, et subjicio;  
 “ ex animo, omnes et quoscumque libros, quos unquam scripsi,  
 “ seu typis dedi, quocumque idiomate, examini et judicio sanc-  
 “ tæ catholicæ Romanæ ecclesiæ, et Christi, in terris, vicarii,  
 “ Romani pontificis; et ex nunc retracto, damno, deleo, et  
 “ rejicio quidquid in eis repertum fuerit erroneum, scanda-  
 “ losum, aut quocumque modo noxiūm catholicæ fidei, sanæ  
 “ doctrinæ, bonis moribus, aut etiam quibuscumque hominibus:  
 “ Promittens si vita, et vires suppetant, in omnia, quæ in meis  
 “ dictis operibus damnanda aut suppressimenda visa fuerint, me  
 “ expresse et ex animo, etiam libris editis, quatenus opus fuerit;  
 “ retractaturum, et judicium proprium semper ecclesiæ, et  
 “ superiorum judicio omnino submissurum prout nunc revera  
 “ submitto, tanquam humilis et obediens ecclesiæ et ordinis  
 “ seraphicæ filius; in quorum fidem, presenti declarationi, pro-  
 “ priâ manu subscripsi Londini, die 13 mensis Martii, anno  
 “ 1687, stylo veteri, seu die 23 ejusdem mensis, anno 1688,  
 “ stylo novo.

“ Petrus Valesius.”

“ Fr. Jo. Everardus, Franciscanus, præsens.

“ Fr. Benedictus Macarthy, Cisterciensis, præsens.

“ Fr. Franciscus Forster, Franciscanus, præsens.”

## LXXX. 13.

*Confiscation of Irish Property at the Revolution  
in 1688.*

WE now reach the term of this part of our historical inquiries.

The predisposing cause of all the religious troubles in Ireland, was, the natural irritation of the ancient Irish families, at the confiscations, made in the reigns of Henry the second, Henry the eighth, Edward the sixth, queen Elizabeth, and James the first. By these, a great proportion of their hereditary possessions was wrested from them, and transferred to adventurers from England. This divided the kingdom into the *Old Irish* and the *New Settlers*,—two parties, strongly distinguished from each other, by language, habits, and manners. The reformation introduced the further division of the kingdom into a catholic and protestant party.

The former included almost all the families of the ancient Irish blood, and the far greater part of the new families. As the latter had participated in the general plunder, they were sometimes involved in the general jealousy, with which all the sharers of it were viewed by the ancient proprietors and their descendants: and being of English descent,—most of them allied to English families, and all of them holding their titles under the same confiscations as the protestants, they were thought to be more favourably received by the protestant party. So far as respected the free exercise of the catholic

religion, they agreed with the descendants of the old Irish; but, when any thing like a restoration of property came in question, they were suspected of showing something of a protestant feeling, and of being too ready to come into terms of accommodation, in which neither the civil nor the religious rights of the general body of the Irish catholics were, in the opinion of its great majority, sufficiently consulted. This contributed mainly to the dissents, which uniformly distracted the councils of the Irish catholics, and finally brought on the ruin of the confederacy.

The consequences of it, and the injustice shown to the innocent catholics, by the government of Charles the second, are shortly stated in the passage which we last extracted from lord Clare's celebrated speech. Never, surely, did any race of men pay more dearly, than the Irish catholics, for their dissents.

But, even at the time, of which we are now speaking, their calamities were not at their close.—An extract from the same speech will succinctly exhibit the last scene of the tragedy.

“ After the expulsion of James the second,” (says the earl of Clare), “ from the throne of England, “ the old inhabitants made a final effort for the “ recovery of their ancient power, in which they “ were once more defeated by an English army, “ and the slender relics of Irish possessions became “ the subject of fresh confiscation. From the report “ made by the commissioners appointed by the par- “ liament of England in 1698, it appears, that the

“ Irish subjects outlawed for the rebellion of 1688  
 “ amounted to 3,978 ; and that their Irish posses-  
 “ sions, as far as could be computed, were of the  
 “ annual value of 211,623*l.*, comprising one mil-  
 “ lion sixty thousand seven hundred and ninety-two  
 “ acres. This fund was sold under the authority of  
 “ an English act of parliament, to defray the ex-  
 “ penses incurred by England in reducing the  
 “ rebels of 1688 ; and the sale introduced into  
 “ Ireland a new set of adventurers.

“ It is a very curious and important speculation  
 “ to look back to the forfeitures of Ireland incurred  
 “ in the last century. The superficial contents of  
 “ the island are calculated at eleven millions forty-  
 “ two thousand six hundred and eighty-two acres.  
 “ Let us now examine the state of forfeitures :

“ In the reign of James the first, the	
“ whole of the province of Ulster was	Acres.
“ confiscated, containing	- - - - 2,836,837
“ Set out by the court of claims at	
“ the restoration	- - - - 7,800,000
“ Forfeitures of 1688	- - - 1,060,792
<hr/>	
TOTAL	- - - 11,697,629
<hr/>	

“ So that the whole of your island has been  
 “ confiscated, with the exception of the estates of  
 “ five or six old families of English blood, some of  
 “ whom had been attainted in the reign of Henry  
 “ the eighth, but recovered their possessions before  
 “ Tyrone’s rebellion, and had the good fortune to  
 “ escape the pillage of the English republic in

" flicted by Cromwell ; and no inconsiderable portion of the island has been confiscated twice, or perhaps thrice, in the course of a century. The situation, therefore, of the Irish nation at the revolution stands unparalleled in the history of the inhabited world."

Here the history of the sanguinary executions of the Irish catholics, and of the confiscations of their property, in some manner closes. In defence of these atrocious inflictions, it has been sometimes contended, that they were justified by the rebellions of the Irish catholics. To arrive at a just conclusion on this head, a full examination of the causes, nature, and extent of these rebellions, is absolutely necessary. The writer begs leave to express his conviction, that such an examination would demonstratively show, that however reprehensible the conduct of the individuals engaged in them might have been; neither their number, nor their guilt, was so great as to justify the horrid severities which were exercised on the catholic body at large.

Far be it from the writer to justify a resistance to the government of a country, on the ground of religion ; it must be admitted, that no religion inculcates passive submission, even to the most unjust government, more than the catholic. The alleged rebellions he therefore neither defends, nor, for the present, attempts to extenuate. But he submits, that the accusers of the Irish catholics should be consistent with their own principles :—they should consider the various passages in the writings of the

patriarchs of the reformation, in which they justify resistance to government on account of religion, and the many crowns that were broken, and governments that were overturned, to introduce the reformation into those states. If they condemn these revolutionary proceedings, they may, consistently with their own principles, condemn the insurrections of the Irish catholics:—but, if they justify the former, they may be justly required to avow some principle, which made it lawful for the reformers to use these means for establishing their new religion, and which, at the same time, rendered it unlawful for the Irish catholics to use them for maintaining their old.\*

## LXXX. 14.

*The Irish Brigade.*

A LARGE proportion of the sufferers under the confiscation in 1688, emigrated to France and Spain, and composed, what is termed, THE IRISH BRIGADE, — a military corps, renowned in every part of Europe for their sufferings, their valour, and their honour. To them, the roughest and most perilous services of the armies to which they belonged, were too often appropriated. They constantly acquitted themselves of them without a murmur and without a fault; and verified, by their conduct, the truth of the expression, *Un gentilhomme est toujours gentilhomme.* Many gentlemen of the

\* On this subject “Lord Castlemain’s Apology,” and Patterson’s “Image of both Churches,” may be usefully consulted.

most ancient families in Ireland,—and sometimes, even Irish noblemen,—served in the ranks. Surveying their prodigies of valour at the battle of Dettingen, George the first is said to have uttered a generous curse on the laws of England, which prevented his availing himself of it. A full history of the brigade would be a valuable acquisition to literature. A succinct account of it is given by the abbé Mac Geoghegan\*; and by major James, in the Appendix to his excellent Military Dictionary, tit. "*Irish Brigade*."

In the opinion, too, of all who justly appreciate mental worth and dignity, the uniform attachment of the Irish catholics to their religion, offers a sublime spectacle. Notwithstanding the severity of the laws of Henry the eighth, Edward the sixth, Elizabeth, and James the first, not sixty Irish catholics had, in the reign of the last of these sovereigns, embraced the protestant religion:—Notwithstanding the subsequent severities, the Irish catholics now form four-fifths of the whole population of Ireland. "Whatever," says Dr. Johnson, " withdraws us from the power of our senses; " "whatever makes the past, the distant, or the " future, predominate over the present, advances us " in the scale of rational beings." In whom has the past, the distant, or the future,—or, in other words, —the eternal,—predominated more over the present, than in these men, who, in the midst of all that wounds, and all that terrifies human nature, have thus uniformly adhered to religious principle?

\* *Histoire de l'Irlande*, vol. ii. p. 748.

## CHAP. LXXXI.

HISTORICAL MEMOIRS OF THE IRISH CATHOLICS  
SINCE THE REVOLUTION IN 1688, TILL THE  
ACT PASSED FOR THEIR RELIEF IN 1793.

WE shall now attempt to present our readers with a succinct account of the principal events in the history of the Irish catholics, from the revolution till the act which was passed for their relief in the year 1793.

## LXXXI. 1.

## WILLIAM THE THIRD.

*Articles of Limerick.*

By the first article of this treaty,—all the roman-catholics of the kingdom of Ireland were to enjoy such privileges, in the exercise of their religion, as they enjoyed in the reign of Charles the second; and their majesties were to use their endeavours to procure, (as soon as their affairs would permit them to summon a parliament), such further security in that particular, as might preserve them from any disturbances upon the account of their religion.

By the second article,—all the inhabitants or residents in Limerick, or any other garrison, then in the possession of the Irish, and all officers and soldiers then in arms under any commission of king James, in the counties of Limerick, Clare,

Kerry, Cork, and Mayo, and all commissioned officers, submitting to his majesty's obedience, and their heirs, were to hold and enjoy their estates, and all rights, titles, privileges, and immunities, to which they were entitled in the reign of Charles the second, and to profess, exercise, and follow all professions, trades, and callings then open to them, on taking the oath of allegiance prescribed by the act of the first year of the reign of their majesties, and expressed in the following words :—“ I, A. B. “ do solemnly swear, that I will be faithful and “ bear true allegiance to their majesties king “ William and queen Mary.”

By the ninth article,—the oath to be submitted to such roman-catholics as should submit to their majesties government, should be this oath of allegiance, and no other.

#### LXXXI. 2.

##### *Principal Acts passed in the reign of William the third, against the Roman-catholics.*

In opposition to this solemn engagement, the parliament of king William passed several acts, which are thus stated in a report of a committee of the Irish house of commons :—

1st. “ An act against the authority of the see of Rome. It enacts, that no person shall attribute any jurisdiction to the see of Rome ; that the person offending shall be subject to a præmunire ; and that all who have any office from the king,— every person entering into orders, or taking a

“ degree in the university, shall take the oath of  
“ supremacy.

2d. “ An act restoring to the crown the ancient  
“ jurisdiction over the state ecclesiastical and spi-  
“ ritual: it likewise enacts, that every ecclesiastical  
“ person, every person accepting office, shall take  
“ the oath of supremacy.

3d. “ An act for the uniformity of common  
“ prayer. It enacts, that every person having no  
“ lawful excuse to be absent, shall every Sunday  
“ resort to some place of worship of the established  
“ church, or forfeit twelve pence.

4th. “ An act by which the chancellor may  
“ appoint a guardian to the child of a catholic.

5th. “ An act by which no catholic school-  
“ master can teach in a private house, without a  
“ license from the ordinary of his diocese, and  
“ taking the oath of supremacy.

6th. “ The new rules by which no person can  
“ be admitted into any corporation without taking  
“ any oath of supremacy\*.”

They also passed an act to disarm the roman-catholics; another to banish the priests; another to prevent protestants from marrying with catholics; another to prevent catholics from being solicitors, and from being employed as game-keepers. The act for disarming the roman-catholics contains a clause, that any horse in the hands or power of any catholic, may be seized by a warrant from the

\* See the report of the committee of the house of com-  
mons, appointed in 1697, to consider the several laws in force  
against the catholics.

magistrate, and delivered to the protestant discoverer upon payment of five pounds to its owner.

The act for the banishment of the priests was enforced rigorously. "It appears," says Mr. Matthew O'Conor\*, "from captain South's act" count, that, in 1698, the number of secular "priests amounted to four hundred and ninety-five, the number of seculars to eight hundred and "ninety-two, and that the number of regulars "shipped off in that year to foreign parts was four "hundred and twenty-four.—Some few, disabled "by age and infirmities from emigration, sought "shelter in caves, or implored and received the "concealment and protection of protestants, whose "humane feelings were superior to their preju- "dices." "There was not," says Dr. Burke †, in his History of the Irish Dominicans, "a single "house of that order in Ireland, which was not "suppressed."

Each of these enactments was a direct and gross violation of the articles of Limerick. To complete the measure of the injustice, an act, intituled, "an "act to confirm the articles of Limerick," was passed; but with such omissions and variations, as nearly evaded them altogether; it was such an evident breach of public faith, that seven spiritual and five temporal peers signed a strong protest against it. No one who compares the articles with the act, will think this opinion too severe: a more gross

\* Hist. p. 145.—We must repeat our hopes that Mr. O'Conor will complete this interesting work.

† Hib. Dom. p. 155.

violation of public faith does not occur in history. It has never been defended, except on the ground of state necessity. But can state necessity, under any circumstances, justify a system of policy, by which three fourths of a large population of a large nation is to be eradicated?

“ It is true,” exclaimed Mr. Pitt upon Mr. Fox’s India bill, that the measure is said to be *founded* “ *on necessity. But what is this? Is it not necessity that has been the plea of every illegal exercise of power? and every exercise of oppression? has not necessity been the plea of every usurpation? of every infringement of human rights?* ”

“ How it is possible,” says sir Henry Parnell †, “ to defend William and his ministers from the charge of acting with perfidy to the catholics, it is not easy to discover: that they were guilty of violating the treaty, no one can deny. The many glaring violations of the treaty of Limerick, are a scandal to the boasted good faith of the English nation, and a mockery of that equitable religion, whose precepts are founded upon the purest principles of justice and humanity.”

### LXXXI. 3.

*Molyneux’s Work, intituled, “ The Case of Ireland’s being bound by Acts of Parliament in England.”*

IT is difficult to conceive a condition of greater degradation and misery, than that, to which the

\* Bishop Tomline’s Life of Pitt, vol. i. p. 142.

† History of the Penal Laws, p. 26, 27.

catholic inhabitants of Ireland were, at this time, reduced. An event now took place, from which the gradual but slow amelioration of the general state of Ireland may be dated: and in this, though very indirectly and very scantily, still, in a certain measure, the catholics participated.

For some time, the manufacture of wool in Ireland had been on the increase: it was supposed to employ twelve thousand families in the metropolis, and thirty thousand dispersed over the rest of the kingdom; and the exportation of it to foreign markets was considerable. The English began to feel a jealousy at the prosperity of this branch of Irish commerce, and several acts\* were passed to restrain it, and to confine the exportation to England. But the trade was almost wholly in the hands of the protestants; and as soon as the English government began to check it, these began to feel the oppressive system of English policy. This led some inquisitive spirits to question the right of England to legislate for Ireland: among these, Mr. William Molyneux, member for the university of Dublin, a man deeply versed in the constitution of his country, honoured by the friendship of Locke, and esteemed by the good and wise men of his time, as a patriot and a philanthropist, particularly distinguished himself by his celebrated pamphlet, intituled, "*The Case of Ireland's being bound by Acts of Parliament in England.*" He observed, that the claim of the English parliament

\* 1 W. & M. c. 32; 4 W. & M. c. 24; 7 & 8 W. & M. ch. 28; 9 W. & M. c. 40.

must be founded on purchase, conquest, or precedents. As to the first, he showed that there was no pretence for it; as to the second, he contended that Ireland was not so conquered by Henry the second, as to give the parliament of England any jurisdiction over Ireland: and as to the precedents, by which this jurisdiction was attempted to be established, he professed to show, that no such precedent of an earlier date than thirty-seven years could be produced; and that the latter precedents had never been acquiesced in, but always complained of.

His work was generally read, and gave such offence to the English government, that it was complained of in the house of commons, and referred to a committee: they reported it to contain many dangerous positions; and to counteract its impressions, the parliament of Ireland passed the act "for the further security of his majesty's person and government," by which they re-enacted the English statute of the third of William and Mary.— From this time, till the legislative recognition of the independence of Ireland in 1782, the question never was at rest. There was always a party, who professed to maintain the rights of Ireland against the tyranny of England, and to promote, in opposition to her narrow politics, such measures as were of a nature to increase the importance and happiness of Ireland. For a considerable time they joined the government of England in its systematic oppression of the catholics; still, by disseminating some general principles and truths, favourable to civil and

religious liberty, they prepared, though at a great distance, the public mind to receive the strong appeals made to their understandings and feelings, which in a subsequent but distant time, were made to them by the catholics.

## LXXXI. 4.

*The conduct of William the third in respect to the Irish roman-catholics.*

"THE peculiar state of Ireland," says Mr. Macpherson\*, "seems to have been overlooked in the contest. The ground upon which the deprivation of James had been founded in England had not existed in Ireland. The lord lieutenant had retained his allegiance. The government was uniformly continued under the name of the prince; from him the servants of the crown had derived their commissions. James himself had for more than seventeen months exercised the royal functions in Ireland. He was certainly *de facto*, if not *de jure*, king. The rebellion of the Irish must therefore be founded on the supposition, that their allegiance is transferrible by the parliament of England. A speculative opinion can scarcely justify the punishment of a great majority of a people. The Irish ought to have been considered as enemies rather than as rebels †."

\* History of Great Britain.

† "BOSWELL. Pray, Mr. Dilly, how does Leland's 'History of Ireland' sell?—JOHNSON (bursting forth with a generous

It appears that the views of William himself in respect to the Irish catholics were those of wise and humane policy ; that he sought to conciliate the body of the nation by promoting its general prosperity, and of the catholics in particular by a liberal toleration of their particular creed, and a complete protection of their persons and properties. But these enlarged and just notions did not accord with the designs of those, to whom he was obliged to confide the government of this country, and on whom the precariousness of his own title rendered him dependent : these forced him into measures to which he was averse from his nature, and which were incongruous with his notions of policy. If we are to believe a respectable and intelligent writer\*, the catholics made due allowances to William for the circumstances in which he was involved ; " his kindness and partiality deserved their esteem, conciliated their affections, and fixed their allegiance : they took the oath prescribed by the articles of Limerick, and neither the secret practices of the exiles, nor the examples of plots

indignation,) " The Irish are in a most unnatural state ; for we see there the minority prevailing over the majority. There is no instance, even in the ten persecutions, of such severity as that which the protestants of Ireland have exercised against the catholics. Did we tell them, it would be above board : to punish them by confiscation and other penalties, as rebels, was monstrous injustice. King William was not their lawful sovereign : he had not been acknowledged by any parliament of Ireland, when they appeared in arms against him."

\* O'Conor's History, p. 157, 158.

“ and conspiracies in England and Scotland, could induce them to swerve from their allegiance. The knowledge of the monarch’s necessities, which controled the exercise of the king’s just and generous disposition, excused, in the minds of the catholics of his days, the harsh measures of his government.”

## LXXXI. 5.

## QUEEN ANNE.

WE now come to what Mr. Burke justly terms “the *ferocious acts of the reign of queen Anne.*”

By an English act of parliament, catholics were prevented from purchasing any of the forfeited lands ; and leases of them, containing more than two acres, were annulled\*.

The cruelty of this law is without precedent : the lands forfeited at the revolution were supposed to amount to a million of acres ; those who had forfeited them, were disabled from repurchasing them ; and not only they, but all other catholics, were disabled from taking leases of them, even at rack-rent, or any lease that should comprise more than two acres, a quantity insufficient for the subsistence of a family. Thus, throughout the whole of these ample territories, catholics were debarred from all durable or profitable tenure ; were doomed to be tillers and labourers to the new protestant settlers ; and the hope of the slightest amelioration of their miserable lot, even at a distant period, was

\* 1 Anne, c. 32.

absolutely denied them. A bill was then prepared to disable catholics to purchase or take by inheritance or gift, any lands in the hands of protestants; and to render the lands, of which they were owners, descendible in gavelkind; but, if the eldest son conformed to the protestant religion, the father was reduced to a tenancy for life, without power to sell or mortgage, or even to provide, except under the control of the chancellor, for his younger children.

To ensure the passing of this bill, the whole house accompanied the speaker to the lord lieutenant, and urged him to assist it, in its progress through parliament, with all his influence and power.

We have noticed that even king William had experienced, in the leading persons in Ireland, something of a controlling power. Most of them were presbyterians, and hostile to the episcopal church. The government of England was jealous of them, and wished to lessen their consequence. With this view, the council added to the bill a clause, which excluded from civil and military offices, all persons, who should not receive the sacrament of the Lord's supper, according to the usages of the church of Ireland.

To prevent this dreadful bill from passing into law, the catholics petitioned both houses of parliament, to be heard by counsel. Having obtained this permission, sir Toby Butler and sir Stephen Rice, their counsel, and Mr. Malone, a private catholic gentleman, were heard against the bill at the bar of the house of lords. They showed, with great

eloquence and force of reasoning, the general cruelty, injustice, and impolicy of the proposed bill, and its direct violation of many of the articles in the treaty of Limerick: but they pleaded in vain, and the bill passed unanimously\*.

Other acts against the catholics were passed in the same reign. The most remarkable of them †, was an explanation, and certainly a considerable aggravation of the act, which we have mentioned. It directed that the chancellor, if a child of a catholic parent conformed to the protestant religion, might compel the parent to declare, upon oath, the value of his real and personal estate; and might assign out of it to the child, such a present maintenance and fortune, as he should judge proper. It also directed that, if the wife of a catholic conformed, the chancellor might assign to her for a jointure the full extent of what the husband himself could settle upon her: it provided, that all members of parliament, barristers, attorneys, and officers in the courts of law, should educate their children in the protestant religion; that a catholic teaching in public or private should be deemed and prosecuted as a papist recusant convict, or in other words should be subject to the penalties of præmuni-  
nire. A graduated scale of rewards, to discoverers of popish clergymen and schoolmasters, was established: and then, in direct opposition to the uni-

\* 2 Anne, c. 6. An act to prevent the further growth of popery.

† 8 Anne, c. 3. An act for explaining and amending an act, intituled, "An Act to prevent the further growth of popery."

versal feeling of all mankind, which pronounces informers to be an odious race, the house of commons resolved, that "prosecuting and informing "against papists was an honourable service." The catholics were heard against this bill as against the former, by their counsel sir Stephen Rice ; and it may be thought that his eloquence made some impression, as two archbishops and five bishops signed a protest against it.

"The catholics," says Mr. O'Conor\*, "were generally compassionated. Neither the menaces of power, nor the contagion of example, nor the influence of religious hatred, nor the prejudices of party, could eradicate the seeds of humanity ; they connived at, encouraged, and aided evasions of the penalties and provisions of these iniquitous statutes : many of them concealed proscribed priests in their houses, and became trustees in purchases of properties and settlements of estates for catholics, in order to favour their industry and protect them from the ruin of the gavel act. Committees had been repeatedly appointed by the house to inquire into and devise means to prevent the evasions of the popery code : the ingenuity of benevolence still thwarted the malignity of party, still provided resources for misfortune." Several unfortunate noblemen and gentlemen, whom the penal code had reduced from affluence and comfort to misery, were harboured by protestants, who took on themselves successively the charge of this hospitality. By an act, passed in

\* O'Conor's History, p. 179.

the fifth year of her majesty, parliament deprived these wretched sufferers of this last resource, by enacting, that "all vagrants, pretending to be Irish gentlemen, who cohered about from house to house, should be sent on board the fleet, or transported to the plantations\*."

Speaking generally,—all the rigorous laws which we have mentioned, were actively executed, so far as their execution depended on government or its retainers: the commons came to a resolution, that all magistrates and other persons whosoever, who neglected or omitted to put the penal laws into execution, were betrayers of the liberties of the constitution †.

The consequence is thus described by a writer, whom I have often cited and shall often cite ‡;— "The loss of rights and property extinguished every sort of patriotism, and infused the spiritless indifference of submissive poverty into the great mass of the people, who barely existed in their native soil, strangers to its natural blessings, the patient victims of its wrongs, the insensible spectators of its ruin. Here they vegetated on the potato root, decayed in the prime of life, destitute of solid nourishment, and sinking to untimely graves, their vigour prematurely exhausted by hard labour, and the spark of life at length exhausted by famine."—Much of what is now visible in Ireland, too clearly shows that this representation is not exaggerated.

\* O'Conor's Hist. p. 177.

† Com. Journals, vol. iii. p. 289.

‡ O'Conor's Hist. p. 183.

## LXXXI. 6.

## GEORGE THE FIRST.

SIR Henry Parnell\* mentions the titles of six acts of parliament, which were passed in this reign against the roman-catholics, all vexatious and humiliating, some highly oppressive.

He concludes the account of them by the following observations †.

" The loyalty of the catholics was in this reign  
 " put to a complete trial, by the Scotch rebellion  
 " of 1715. If, after having fought three campaigns  
 " in support of James's pretensions to the throne  
 " of Ireland, after having experienced the infrac-  
 " tion of every part of the treaty of Limerick, and  
 " been exposed to a code of statutes by which they  
 " were totally excluded from the privileges of the  
 " constitution; and if, after they had become sub-  
 " ject to the worst of all oppressions, the persecu-  
 " tion of private society and private manners, they  
 " had embarked in the cause of the invader, their  
 " conduct would have been that of a high spirited  
 " nation, goaded into a state of desperation by their  
 " relentless tormentors; and, if their resistance  
 " had been successful, their leaders would have  
 " ranked among the Tell and Washingtons of  
 " modern history.—But so far from yielding to the  
 " natural dictates of revenge, or attempting to take

\* Hist. p. 43; 2 Geo. I, c. 9, 10, 19; 4 Geo. I, c. 15, 16;  
 6 Geo. I, c. 10.

† History of the Penal Laws, p. 44.

"advantage of what was passing in Scotland; to regain their rights, they did not follow the example of their rulers, in violating, upon the first favourable opportunity, a sacred and solemn compact; and thus they gave the strongest testimony, that they had wholly given up their former hopes of establishing a catholic prince upon the throne. Their loyalty was not, however, a protection to them against the oppressions of their protestant countrymen. The penalties for the exercise of their religion were generally and rigidly inflicted, their chapels were shut up, their priests dragged from their hiding-places, hurried into prisons, and from thence sent into banishment."

"In 1732," says a respectable writer \*, "a proclamation was issued against the roman-catholic clergy, and the degree of violence, with which it was enforced, made many of the old natives look seriously, as a last resource, to emigration. Bishop O'Rorke retired from Belanagare; and the gentlemen of that neighbourhood had no clergyman for a considerable time to give them mass, but a poor old man, one Pendergast, who, before day-dawn on Sunday, crept into a cave in the parish of Baslick, and waited there for his congregation, in cold and wet weather, hunger and thirst, to preach to them patience under their afflictions, and perseverance in their principles; to offer up prayers for their persecutors, and to arm them

\* Memoirs of the Life and Writings of the late Charles O'Conor, vol. i. p. 179.

“with resignation to the will of heaven in their misfortunes. The cave is called, Poll-an-Aifrin, or mass-cave, to this day ; and is a melancholy monument of the piety of our ancestors.”

It is a subject of just reproach to the memory of the celebrated dean of St. Patrick’s, that his works do not contain a single passage in which he has either advocated the cause of the catholics, or so much as expressed any compassion for their sufferings : in the following lines he even describes their fallen and hopeless state with visible exultation. “We look upon the catholics to be altogether as inconsiderable as the women and the children. Their lands are almost entirely taken from them, and they are rendered incapable of pursuing any more ; and, for the little that remains, provision is made by the late act against popery, that it will daily crumble away : to prevent which, some of the most considerable among them, are already turned protestants, and so in all probability will many more. Then, the popish priests are all registered, and without permission, (which I hope will not be granted), they can have no successors ; so that the protestant clergy will find it, perhaps, no difficult matter to bring great numbers over to the church ; and in the meantime the common people, without leaders, without discipline, or natural courage, being little better than hewers of wood and drawers of water, are out of all capacity of doing any mischief, if they were ever so well inclined \*.”

\* Letter concerning the Sacramental Test.

Still Swift, though unintentionally, was a great benefactor to the cause of the Irish catholics. Speaking of his Draper's Letters, a performance which, in its kind, is yet without a rival or a second, Dr. Johnson observes, that " it was from the time " of this publication, that the Irish may date their " riches and prosperity. He taught them first to " know their own interest, their weight and their " strength, and gave them spirit to assert that " equality with their fellow-subjects, to which they " have ever since been making vigorous advances, " and to claim those rights which they have at last " established." This circumstance created among the Irish protestants, a party who advocated the real interests of their country against the oppressions of its governors. For some time, however, they co-operated with the party in power in their persecution of the catholics ; but, by degrees, they became sensible that this was incompatible with the real interests of the nation ; and began to feel some disposition to relieve their catholic brethren. Add to this, that the catholics, though depressed and degraded, had a numerical strength, which each party felt it their interest to conciliate.

## LXXXI. 7.

## GEORGE THE SECOND.

THE same system of penal legislation was pursued throughout the reign at which we are now

arrived. It was opened by an act\*, which disabled papists from voting at elections, without taking the oath of supremacy: this act completed their entire exclusion from the constitution.

The charter schools, a new engine of oppression, were erected during this reign; their funds consist of lands, funded property, and an annual grant from parliament, yielding an annual income of about 34,000*l.* The children admitted into the schools, were those of the indigent poor, and five-sixths of these being catholics, the schools were almost entirely filled with the children of catholic parents: but this circumstance was entirely disregarded; the religion of the established church being exclusively taught in them. The charter for the incorporation of the society, mentions expressly that the schools were formed "for the conversion of these children."

The act of the nineteenth year of the reign of which we are now speaking, annulled all marriages between protestants and catholics.

The conduct of the catholics during the Scottish rebellion, in 1745, is admitted to have been most loyal and exemplary. Dr. Stone, the primate, published a letter, in which, after mentioning the ample means of information which he possessed, he declared, that "he could not discover the least trace, " hint, or intimation of any disloyal intercourse or " correspondence among the catholics, or their

\* 1 Geo. II, c. 9, & c. 30; 7 Geo. II, c. 5, & c. 6; 9 Geo. II, c. 3, & c. 6; 13 Geo. II, c. 6; 19 Geo. II, c. 5; 23 Geo. II, c. 10.

“ having favoured or abetted, or having been so  
“ much as acquainted with the designs or proceed-  
“ ing of the rebels”.

Lord Chesterfield † mentions, that, “ the catholic  
“ clergy co-operated with their protestant brethren  
“ to maintain order and tranquillity. Their pastoral  
“ letters, public discourses from the pulpit, and  
“ private admonitions, were equally directed for  
“ the service of government.”

It is painful to state, that in return for these  
meritorious services, the protestant clergy excited  
public animosity against the catholics by their ser-  
mons ‡; and that the earl of Chesterfield §, the lord  
lieutenant, recommended, in his speech to parlia-  
ment, their taking into consideration, whether  
“ something further might not yet be done for re-  
“ pressing popery, either by new laws, or by the  
“ more effectual execution of those in being.”

“ The Irish administration under George the  
“ second is stained,” says Mr. O’Conor ||, “ by  
“ desolating famines, by the encouragement of in-  
“ formers, the transportation of priests ¶, the decay  
“ of every branch of industry, and a great decrease  
“ of population, new penal statutes were enacted,

• Curry’s Review, vol. ii. p. 261.

† Chesterfield’s Works, vol. i. p. 150. Irish edition.

‡ Curry’s Review, vol. ii. p. 259.

§ Maty’s Life of Lord Chesterfield.

|| History, p. 200.

¶ The average annual amount of premiums for transporting  
priests, for sixteen years preceding 1745, was 127*l.* 17*s.* 4*d.*  
The premiums ceased after 1745. Newnham’s View of Ire-  
land, p. 195.

“ and the last spark of catholic freedom was extinguished.”

The famine mentioned by Mr. O'Conor is described by him in terms, which it would shock the humanity of our readers to peruse, and which, on this account, we omit. He declares\*, that “ the sufferings of the Irish under it surpass all that history has recorded or imagination can represent.”

“ This was the fifth or sixth famine, that in the course of twenty years, desolated a country gifted with the most luxuriant soil, indented with innumerable bays and harbours, presenting unrivalled advantages for trade and manufactures, and capable of maintaining treble the number of its people, under any tolerable system of government. All orders were struck with horror at this fatal calamity, but neither the Irish government, nor rich individuals, were able to relieve the public distress. Immense drains to absentees, and annual remittances to Poland for corn, restrictions on the woollen trade, and an embargo on beef, the staple commodity of the kingdom, left the country destitute of specie, disabled the better orders from relieving the lower classes, whose miseries were aggravated by the immense stores of beef then in the country, but heaped up for the foreign markets, and denied to them by the inhuman avarice of mercantile speculation. The English people remained insensible to the miseries of their fellow christians, and fellow subjects,

\* Page 223.

“ who adored the same omnipotence, and recognized the same sovereignty. Their philanthropy “ would not embrace men, whom they considered “ as rivals and idolaters.

“ The visitation of famine and pestilence dis-“ armed the rancour of religious intolerance, and “ humanity shuddered at the wide prospect of de-“ solation. *After the reduction of one fifth of the* “ *population, a productive harvest put an end to* “ *these distresses.* *THE SYSTEM OF PERSECUTION* “ *REVIVED WITH THE REVIVING STRENGTH AND* “ *GROWING PROPERTY OF THE COUNTRY.* The “ catholics were everywhere disarmed, domiciliary “ visits were made in quest of priests and friars, “ the chapels were shut up, and a cruel persecution “ commenced in every quarter of the kingdom. “ From the interior, many fled to the metropolis, “ as affording, by its extent and population, great “ facility of concealment; others fled to caverns “ and mountains, to elude the pursuit of priest-“ catchers. The Irish catholics were thus, by a “ wicked administration, under the mild sway of “ the house of Hanover, deprived of the enjoyment “ of the private exercise of their religion, a privilege “ not denied to them by the worst of the Stuarts.

“ In the country parts, the catholics frequented, “ on Sundays and festivals, the retreats of their “ clergy, and in the metropolis the citizens attended “ the celebration of divine service in stable-yards, “ or warehouses, garrets, and such obscure places “ as sheltered them from the pursuit of the magis-“ trates. On one of these occasions, when the

“congregation was rising to receive the benediction, the floor gave way, and all were buried in “the ruins; the priest and several others were “killed, and most of the rest were so bruised and “maimed as to remain for years living monuments “of the cruelty of that administration. The dead, “the dying, and the wounded were conveyed on “cars through the streets amidst the deep anguish “and solemn silence of an horror-struck multitude. “The sad spectacle excited the sympathy of the “protestants, and relaxed the obduracy of the “government; leave was given to open the chapels, “and the private exercise of the catholic worship “was again restored \*.”

The acts of parliament which we have mentioned to have been passed in the reign of George the second, consummated the misery of the Irish catholics; it may be truly said, that at this time, there did not exist in Europe a population which exhibited such a scene of wretchedness and oppression.

But, according to Hume's just observation †, there is an ultimate point of depression, as well as of exaltation, from which human affairs naturally return in a contrary progress, and beyond

\* Here the writer must take his final leave of Mr. Charles O'Conor, from whom he has transcribed this passage, and to whom he has before acknowledged his obligations. His History is the work of a gentleman, a scholar, a man of liberal principles, and a true catholic. It is much to be wished that he should bring it down to the present time: he will confer, by doing it, a great favour on his brethren in religion.

† Hist. of England, vol. ii. p. 441.

which they seldom pass, either in their advancement or decline.

The year 1757 may be considered as the era, from which the amelioration of the condition of the Irish catholics and their successful exertions to obtain a repeal of the penal code may be dated. The duke of Bedford was sworn in that year into the office of lord lieutenant. Ten days after his arrival, the catholic clergy in Dublin read a loyal exhortation to their respective congregations. It obtained no regard from persons in power; but it was received by the public so favourably, that, on the recommendation of Dr. O'Keefe, the titular catholic bishop of Kildare, the chiefs of the catholic body signed a declaration of the principles of their church in respect to allegiance and civil duty, and transmitted it to Rome as the act and deed of the roman-catholics\*.

In 1759, when the French force under the command of Conflans was collected to invade Ireland, the catholics presented to the lord lieutenant an address, expressing their attachment to his majesty's person and government. Some catholic individuals offered to assist the state with money, and the catholics of Cork, in a body, presented an address, professing their indignation at the invasion, by an enemy flattering himself with an imaginary co-operation on their part; they assured his grace that they would, to the utmost exertion of their abilities, defend his majesty's person and govern-

\* Both documents are inserted in sir Henry Parnell's History, pp. 52 and 55.

ment with their lives and fortunes against all such invaders and all his enemies\*.

No particular notice was taken of these loyal proceedings: but some expressions of general goodwill towards the catholics were known to have fallen from the lord lieutenant, and both the language and demeanour of persons in power, in their regard, were courteous and conciliatory;—persecution was still severely felt; but it was sensibly alleviated.

### LXXXI. 8.

#### GEORGE THE THIRD.

IT is not a little remarkable, that though such signal acts of legislative beneficence were passed in the reign of his late majesty, in favour of all his catholic subjects, and so great a progress made towards their emancipation, several penal acts of great severity were successively passed against the Irish catholics during the first half of his reign †: the act of its twenty-first and twenty-second year, deserves particular attention, from a circumstance attending it, which is of extreme importance, but which appears to have unaccountably escaped the observation both of protestants, and, what is more astonishing, of catholics, until their attention was called to it by sir Henry Parnell. We shall notice it in that gentleman's own words:

\* Smollet's History of England.

† 15 & 16 Geo. III, c. 21, s. 15; 21 & 22 Geo. III, c. 32, s. 2; 21 & 22 Geo. III, c. 48, s. 3; 25 Geo. III, c. 48, s. 11 & 12.

“ Though this clause of the 21 & 22 of Geo. 3,  
“ c. 48, has attracted very little public attention, it  
“ was of no less import that that, of *being the first*  
“ *legal exclusion of catholics from sitting in the*  
“ *Irish parliament*. They had been excluded *de*  
“ *facto* by their voluntary submission to the Eng-  
“ lish act of 3 William and Mary, but not *de*  
“ *jure* till this act of 21 & 22 Geo. 3, which made  
“ the act of 3 William and Mary, just mentioned,  
“ binding in Ireland.

“ This circumstance, which has always been  
“ overlooked, even by the catholics themselves,  
“ proves how readily they have been inclined at  
“ all times to submit to the authority of govern-  
“ ment: and it also proves how unfounded those  
“ arguments are, which maintain that the exclusion  
“ of the catholics of Ireland from parliament, is a  
“ principle on which the family of his majesty was  
“ placed upon the throne. It completely overturns  
“ the system of erroneous reasoning concerning  
“ the coronation oath, which of late has been so  
“ common; and, so far as the meaning of this  
“ oath is at issue, it reduces the question to this  
“ simple point, *whether the king can conscien-*  
“ *tiously place the catholics of Ireland in the same*  
“ *condition, with respect to sitting in parliament, in*  
“ *which they had continued till the twenty-second*  
“ *year of his own reign?*”

By an act passed in the twelfth year of the reign  
of his late majesty, catholics were to be at liberty  
to take a lease for sixty-one years of any quantity  
of bog, not exceeding fifty acres plantation mea-

sure, and half an acre of arable land, as a site for a house, or for delving for gravel or limestone. This was certainly an extraordinary boon; the provisions which accompanied it, are not less extraordinary: 1st, the bog was to be four feet deep from the surface; 2d, the lease was not to contain less than ten plantation acres; 3d, it was not to be within one mile of a city or market town; 4th, and if one half at least of the bog should not be reclaimed within twenty-one years from the commencement of the lease, the lessor might re-enter and avoid the lease.

But English wisdom and liberality now begin to dawn!

It was in the year 1774, that the FIRST ACT was passed which had any real conciliatory or friendly tendency towards the Irish catholics. It was intituled, "An act to enable his majesty's subjects, " of whatever persuasion, to testify their allegiance "to him \*." It prescribed the form of an oath of allegiance, and made it lawful for the catholics to take it before his majesty's judges and justices of the peace; but it did not enjoin them to take the oath under any penalties, or accompany the taking of it with any advantages. It contained the usual expression of pure and undivided allegiance, and was therefore generally taken.

Before this time, Mr. Charles O'Conor, the celebrated Irish scholar and antiquarian, Dr. Curry, the author of the invaluable "Review of the Civil " Wars of Ireland," and Mr. Wise of Waterford,

\* 13 & 14 Geo. III, c. 35.

had succeeded in establishing a general committee of the catholic body, formed of the principal catholic nobility and gentry, and of delegates from the principal parishes. To these three gentlemen, and principally to Mr. O'Conor, the emancipation of the catholics is primarily owing. The formation of the board gave consistency and stability to their councils and measures, and produced a general co-operation of the body.

The effect was soon discernible: a petition, framed by Mr. Edmund Burke, was presented to his majesty, and in 1778 an act\* passed, which enabled roman-catholics, who should take the oath of allegiance prescribed by the former act, to hold leases for nine hundred and ninety-nine years, or determinable upon any lives, not exceeding five. The lands of catholics were made devisable and transferrible, and catholics were rendered capable of holding and enjoying those which might descend or be devised or transferred to them. In 1782, an act† passed for the further relief of the catholics: it contained many provisions in their favour, particularly one, which discharged from all penalties, such catholic ecclesiastics as should register their names and abodes in the manner it prescribed. Another act of the same year allowed persons professing the popish religion to teach schools‡.

“ Of the numerous individuals,” says sir Henry

\* 17 & 18 Geo. III, c. 49.

† 21 & 22 Geo. III, c. 24.

‡ 21 & 22 Geo. III, c. 62.

Parnell\*, " who at this time distinguished themselves for their exertions in favour of the catholics, " there was no one to whom they were under " greater obligations than to the late Mr. Burke. " He wrote for them the petition which was presented to the king in 1774. In the English house of commons, in 1778, he was the first to declare the necessity of concessions being made to them; he said that ' Ireland was now the chief dependence of the British crown, and that it particularly behoved that country to admit the Irish nation to the privileges of British citizens; ' and in the year 1782, he wrote his celebrated letter to lord Kenmare, in which he so ably exposes the folly, injustice, and tyranny of the penal laws."

From this period to the year 1790, the catholic question was not agitated in parliament; but in the mean time two events happened, which materially assisted the catholic cause;—the fear of an invasion from France,—and the establishment of the national independence of Ireland. The first produced the embodying of volunteer corps throughout all the kingdom, and these were composed indiscriminately of catholics and protestants.

Insensibly they became an armed association for compelling Great Britain to grant to Ireland the independence of her legislature. In this important attempt the protestants took the lead; and it was evident that the victory would belong to the party, to which the catholics should attach themselves.

\* History of the Penal Laws, p. 84.

Their protestant brethren, on the other hand, endeavoured to conciliate them by public resolutions in favour of their complete emancipation. Among these, the Dungannon convention, which met in February 1782, and was composed of the representatives of one hundred and forty-three protestant corps of volunteers, deserves particular mention. They resolved, with two dissenting voices only, " that they held the right of private judgment, in matters of religion, to be equally sacred in others as themselves ; therefore, that as christians and protestants, they rejoiced in the relaxation of the penal laws against their roman-catholic fellow subjects, and that they conceived the measure to be fraught with the happiest consequences to the union and prosperity of Ireland."

In 1791, the committee of catholics agreed upon a petition to parliament ; but, incredible as it may appear, the catholics, though they constituted, as we have frequently mentioned, the great majority of the nation, had not, even in this state of amelioration, sufficient influence to induce any one member of parliament to present it.

It is painful to relate that, during this time, the administration had been endeavouring to counteract the views of the catholics, by a negotiation with some of their principal nobility and gentry ; and that this was so far successful, that, at a meeting of the general committee, held in December 1791, for the purpose of considering of the policy of petitioning parliament, a division took place : but

fortunately the party of the nobility were left in a minority of seventeen to ninety.

The committee delegated Mr. Devereux, Mr. Edward Byrne, Mr. John Keogh, and two other gentlemen to negotiate with Mr. Pitt: they were directed chiefly to insist upon five objects,—the elective franchise, their admission to grand juries, to county magistracies, to high shrievalties, and to the bar. Mr. Keogh was the soul of the delegation: he possessed a complete knowledge of the subject, uncommon strength of understanding, firmness of mind, and a solemn imposing manner, under an appearance of great humility, which obtained for him an ascendancy over almost every person with whom he conversed. On one occasion, he was introduced to the late Mr. Dundas, afterwards Lord Melville. That eminent statesman was surrounded by several persons of distinction, and received the delegates with great good humour, but some state; a long conference ensued, and the result was not favourable to the mission of Mr. Keogh. After a short silence, Mr. Keogh advanced towards Mr. Dundas, with great respect, and, with a very obsequious, but very solemn look, mentioned to him, that “there was one thing, “which it was essential for him to know, but of “which he had not the slightest conception.” He remarked, “that it was very extraordinary that a “person of Mr. Dundas’s high situation, and one “of his own humble lot, (he was a tradesman in “Dublin), should be in the same room: yet, since “it had so happened, and probably would not

“ happen again, he wished to avail himself of the  
“ opportunity of making the important disclosure :  
“ but could not think of doing it, without Mr.  
“ Dundas’s express permission, and his promise  
“ not to be offended.” Mr. Dundas gave him this  
permission and promise : still Mr. Keogh was all  
humility and apology, and Mr. Dundas all con-  
descension. After these had continued for some  
time, and the expectation of every person present  
was wound up to its highest pitch, Mr. Keogh ap-  
proached Mr. Dundas, in a very humble attitude, and  
said,—“ Since you give me this permission, and  
“ your deliberate promise not to be offended, I beg  
“ leave to repeat,—that there *is* one thing, which  
“ you ought to know, but which you don’t suspect,  
“ —you, Mr. Dundas, know nothing of Ireland.”

Mr. Dundas, as may be supposed, was greatly  
surprised ; but with perfect good humour told Mr.  
Keogh, that he believed this was not the case : it  
was true that he never had been in Ireland, but  
he had conversed with many Irishmen. “ I have  
“ drunk,” he said, “ many a good bottle of wine  
“ with lord Hillsborough, lord Clare, and the  
“ Beresfords.”—“ Yes sir,” said Mr. Keogh, “ I  
“ believe you have ; and that you drank many a  
“ good bottle of wine with them before you went  
“ to war with America.”

---



## A P P E N D I X.

---

NOTE I; referred to in page 70.

*On the Tract intituled “ Roman Catholic Principles in reference to God and the King.”*

---

**V**ISCOUNT Stafford, at his memorable trial in December 1680, mentioned this tract in the following terms :

“ There is lately come out a book written by a priest of the church of Rome, tried for his life, for being in the plot, but acquitted of that, in which he says that that opinion of killing kings is damnable and heretical, and declared so by the council of Trent.” (*Tryal of William Viscount Stafford, London, 1680. fol. 53.*)

It first appeared in a small pamphlet in 1680, and two other editions of it, at least, were published in that year. Mr. Kirk, the roman-catholic pastor at Litchfield, has the first and third; the second is in the Bodleian library.

In the following year, Mr. Weldon, a benedictine monk, published “ Stafford’s Memoirs; or, a brief and impartial account of the trial, principles, and a final end of William, late Lord Viscount Stafford.” In a folio edition of this work, seen by the present writer, The Principles are found in the 47th page.

Six editions of The Principles were published before the year 1684: and six were published by Mr. Gother in the years 1684-1686, at the end of his excellent work, intituled, “ A Papist misrepresented and represented, or a two-fold character of Popery,—to

“ which is added,”—(we copy the words of the title-page),—“ Roman-catholic Principles in reference to “ God and the King.”—All these editions, except that of 1686, have been seen or ascertained to exist, and can be referred to by Mr. Kirk: that of 1686 is in the possession of the writer.

Doctor Claggett quotes The Principles in his letter to Mr. Gother, (p. 17 & 33); they are also noticed in “ The Loyalty of Popish Principles.”

They are not noticed by Mr. Dodd, as he was satisfied with mentioning the work of Mr. Gother, to which they were appended. It is observable that he makes *particular* mention of one half at the most of Mr. Gother’s controversial writings: after quoting a few of them, he says generally, “ with many other polemical discourses.”

Bishop Coppering gave at least twelve editions of “ The Principles,” first in his “ Exposition,” and afterwards in his “ True Piety;” to both of these he affixed his name and ecclesiastical titles. The late bishop Walmesley declared, that “ this exposition of the catholic doctrine was composed with great judgment and precision.” The letter in which the prelate expresses this opinion, is at Buckland in Berkshire, the seat of the Throckmorton family.

Eleven or twelve more editions of “ The Principles” were published between the years 1748 and 1813; making in the whole not fewer than thirty-five editions. There also have been several abridgments of them; as those inserted in various editions of “ Ward’s Errata,” a work highly commended by bishop Milner, and in “ The Real Principles of the Catholics,” by bishop Milner’s predecessor, bishop Hornyhold.

Finally,—a copy of it, accompanied by a letter dated the 9th of May 1788, was presented to Mr. Pitt by the committee of English catholics. To give this copy the

greater authenticity, the hon. James Talbot, then vicar apostolic of the London district of the English romanes catholics, signed the first page of it with his name.

We have observed, that the tract of which we are speaking, was first published in 1680. It bore this title: " Roman-catholic Principles, in reference to God " and the King, explained in a letter to a friend, and " now made public, to shew the connection between the " said Principles and the late Popish Plot. By a Well " Wisher of his Country. Matt. xxii. v. 21. Render to " Caesar the things which are Caesar's; and unto God " the things which are God's. London, printed in the " year 1680." The author professed " to give a true and " candid explanation of his belief in the main points of " faith and loyalty, *controverted between catholics and protestants*, as they severally relate to God and the " king." The sacred articles of the Trinity, and the divinity of the Son of God, not being points controverted between catholics and protestants of the established church of England, these doctrines are not noticed in " The Principles," as these notice only the points in controversy between the churches.

An appeal to this tract, as containing an exposition of catholic doctrine on all the points in question, has been frequently made by the parliamentary advocates of the catholic cause, and there was a general wish to see it. In 1815, the last and best edition of it was published by Mr. Kirk. He has prefixed to it a laboured and curious inquiry respecting the author of it, and its various editions. By a variety of arguments and inferences, he makes it appear highly probable, that the author of it was the reverend father James Corker, abbot of the benedictine abbey of Lambspring in Germany,—a priest, tried for Oates's plot, and acquitted; thus answering the description given of the author by viscount Stafford on his trial.

From Mr. Kirk's edition, "The Principles" were printed verbatim by the writer of these pages in his "Confessions of Faith," and in the first and second editions of these Historical Memoirs.

This impression has since been the subject of many pages of cavil, by bishop Milner, in Appendix A. to his "Supplementary Memoirs of English Catholics." Respect for episcopal authority would, if this had been the only episcopal opinion which had been on it, have induced the writer to withhold from re-printing it in the present edition of his Memoirs: but, when he considered that it was edited six times by Mr. Gother, twelve times by bishop Coppinger, and once partially by bishop Hornyhold; and that it was explicitly approved by bishop Walmesley, and solemnly signed by bishop James Talbot, he thought that these venerable persons were much more likely to speak the voice of the church than the one discordant voice, however respectable, of Dr. Milner.

It also occurred to him that the writer's omission of them in the present edition, after he had inserted them in the former, might, with those who were not acquainted with the real cause, give rise to inferences unfavourable to the catholic cause.

It should be added, that a work, which professes to give an historical account of any religious denomination of persons, must be imperfect, unless it gives an account of their religious tenets; and these, so far as the loyalty of the English roman-catholics is concerned, are nowhere expressed better than in "The Principles."

It should also be observed, that Dr. Milner's objections do not apply to any of those positions in "The Principles," in which the loyalty of the catholics, or, in other words, their duty to their king, is concerned.

For these reasons, but without the slightest disregard of Dr. Milner's authority, or disrespect for his opinions,

we shall now insert "The Principles," from Mr. Kirk's edition of them.

We shall subjoin the creed of pope Pius the fourth, as it contains the creed, the whole creed, and nothing but the creed, of the roman catholic-church.

---

ROMAN-CATHOLIC-PRINCIPLES IN REFERENCE  
TO GOD AND THE KING\*.

(Printed from Mr. Kirk's edition of them : from which all the notes and citations in the notes underneath the text, are copied.)

---

SECTION I.

*Of the Catholic Faith and Church in general.*

1. THE fruition of God, and the remission of Redemp-  
sin, are not attainable by man, otherwise than *in Christ* ;  
*and by the merits of Jesus Christ, who gratuitously*  
purchased them for us<sup>a</sup>.
2. These merits of Christ, though infinite in *applicable*  
*by faith.*

<sup>a</sup> Eph. ii. 8.

---

\* This is the original title of the work. Dr. Coppinger styles them simply, *Principles of Roman-catholics*; and Mr. Berington had before substituted *country* for *king*; and *sections* for *paragraphs*.

The reader will recollect, that the object of the author of this tract was, to give "a true and candid explanation of his belief, and judgement, in the main points of faith and loyalty, controverted between catholics and protestants, as they severally relate to God and the king."—The other essential doctrines of christianity, being admitted on both sides, are supposed throughout, and not unfrequently alluded to in the body of the work.

2. Are applied to us, chiefly, by the sacraments, which presuppose, and indispensably require in us a right faith.—Dr. C. *True Piety, ninth edit. Cork, 1813.*

## APPENDIX.

themselves, are not applied to us, otherwise than by a *right faith* in him<sup>b</sup>.

which is but one; 3. This faith is but *one entire*<sup>c</sup>, and conformable to its object, which is *divine revelation*; and to which *faith* gives an undoubting assent.

supernatural: 4. This *revelation* contains many *mysteries*, transcending the natural reach of human understanding<sup>d</sup>. Wherefore,

By the divine providence, to be learnt; 5. It became the divine *wisdom* and *goodness* to provide some *way* or *means*<sup>e</sup>, whereby man might arrive to the *knowledge* of these *mysteries*; means visible and apparent to all<sup>f</sup>; means *proportioned* to the capacities of all<sup>g</sup>; means *sure* and certain to all<sup>h</sup>.

not from private interpretation of scripture; 6. This way or means is not the *reading of scripture*, interpreted according to the *private judgment*<sup>i</sup> of each disjunctive person, or nation in particular; but,

but from the universal church, dilated, contained, and guided by the Holy Ghost for that end. 7. It is an *attention* and *submission*<sup>k</sup> to the voice of the *catholic* or *universal church*, established by Christ for the instruction of all; spread for that end through all *nations*<sup>l</sup>, and *visibly*<sup>m</sup> continued in the succession of pastors and people through all *ages*. From this church, *guided in truth*<sup>n</sup> and secured from *error* in matters of *faith*, by the *promised*<sup>o</sup> *assistance* of the *Holy Ghost*, every one may learn the right sense of the *scriptures*, and such

<sup>b</sup> Mark, xvi. 16.—Heb. xi. 6.

<sup>c</sup> Eph. iv. 5, &c.

<sup>d</sup> 1 Cor. i. 20.—Matt. xvi. 17.

<sup>e</sup> Isa. xxxv. 8.

<sup>f</sup> John, ix. 41.

<sup>g</sup> Matt. xi. 25.

<sup>h</sup> John, xv. 22.

<sup>i</sup> 2 Pet. iii. 16.—1 John, iv. 1, 6.

<sup>k</sup> Matt. xviii. 17.—Luke, x. 16.

<sup>l</sup> Matt. xxviii. 19.

<sup>m</sup> Psal. ii. 2.—Isa. ii. 2. and xlix. 6.—Matt. v. 14.

<sup>n</sup> John, xvi. 13.—Matt. xvi. 18.—1 Tim. iii. 15.

<sup>o</sup> Matt. xxviii. 20.—John, xiv. 16.

---

6. Private reason or judgment of each particular person or nation.—Dr. C.

christian *mysteries* and *duties* as are necessary to salvation.

8. This church, thus established, thus spread, thus continued, thus guided, in *one uniform faith*<sup>P</sup>, and *subordination* of government, is that which is termed the *roman-catholic church*: the qualities just mentioned, *unity*, *indeficiency*, *visibility*, *suc-  
cession*, and *universality*, being evidently applicable to her.

9. From the *testimony* and *authority* of this church, it is, that we receive the *scriptures*, and believe them to be the *word of God*: and as she can *assuredly*<sup>q</sup> tell us what particular book is the *word of God*, so can she with the like *assurance* tell us also, the true *sense* and *meaning* of it, in *controverted* points of *faith*; the same *spirit* that wrote the *scriptures*, *directing* her to understand both them, and all matters necessary to salvation. From these grounds it follows;

10. Only *truths revealed* by Almighty God, and *proposed* by the church, to be believed *as such*, are, and ought to be esteemed, *articles* of catholic *faith*.

Divine re-  
velations  
only mat-  
ters of  
faith.

11. As an *obstinate separation* from the *unity* of the church, in *known* matters of *faith*, is *heresy*; so a *wilful separation* from the *visible unity* of the same church, in matters of *subordination* and *go-  
vernment*, is *schism*.

What  
heresy, and  
what  
schism.

12. The church proposes unto us matters of

<sup>P</sup> John, x. 16. and xvii. 20, 21, 22.

<sup>q</sup> Matt. xvi. 18. and xviii. 17.—1 Tim. iii. 15.

<sup>r</sup> Isa. lix. 21.—John, xiv. 26.

---

12. Strictly speaking, nothing is an *article* of catholic *faith*, that is not *revealed* by Almighty God, and *proposed* by the church to be believed, *as such*. This No. then appears to be obscurely worded; and, for this reason, it omitted by.

How matters of faith are proposed by the church.

faith, first and chiefly by the holy scripture, in points plain and intelligible in it; secondly, by definitions of general councils, in points not sufficiently plain in scripture; thirdly, by apostolical traditions derived from Christ and his apostles to all succeeding ages; fourthly, by her practice, worship, and ceremonies *confirming her doctrine.*

## SECTION II.

*Of spiritual and temporal Authority.*

What is the authority of general councils, and of the pastors of the church.

1. The *pastors* of the church, who are the body *representative*, either dispersed or convened in *council*, have received no commission from Christ to frame *new articles of faith*<sup>a</sup>—these being solely *divine revelations*—but only to *explain* and to *define*<sup>b</sup> to the faithful what anciently was and is received and retained, as of *faith* in the church, when *debates* and *controversies* arise about them. These *definitions* in *matters of faith* only, and proposed as such, oblige all the faithful to a *submission of judgment*. But,

2. It is no article of faith, that the church cannot *err*, either in *matters of fact* or *discipline*, alterable by circumstances of time and place, or in *matters of speculation* or *civil policy*, depending

<sup>a</sup> Gal. i. 7, 8.

<sup>b</sup> Deut. xvii. 8.—Matt. xviii. 17.—Acts, xv.—Luke, x. 16.—Heb. xiii. 7. 17.

Mr. Berington and Mr. Gilbert. Dr. C. inserts the three first ways, but omits the last.

- Only to explain and to ascertain to us—arise upon these subjects—all the faithful to an interior assent.—Dr. C.
- In *matters of fact*, or in *matters of speculation*—on *mère* human reason: these not being *divine revelations* deposited in the catholic church.—Dr. C.

on mere human judgment or testimony. These things are no revelations *deposited* in the catholic church, in regard of which alone, she has the *promised assistance*<sup>c</sup> of the Holy Spirit.—Hence it is deduced,

3. If a *general council*, much less a  *papal consistency*, should presume to *depose a king*, and to *absolve his subjects* from their *allegiance*, no *catholic* could be bound to *submit* to such a *decree*.—Hence also it follows, that,

4. The subjects of the king of England lawfully may, without the least breach of any *catholic principle*, renounce, upon oath, the teaching or practising the *doctrine of deposing kings* excommunicated for heresy, by any authority whatsoever, as repugnant to the *fundamental laws* of the nation, as injurious to *sovereign power*, as destructive to *peace and government*, and consequently in his majesty's subjects, as *impious and damnable*.

5. Catholics believe that the *bishop of Rome*, The *bishop of Rome*, successor of *St. Peter*, is the *head of the whole catholic church*<sup>d</sup>; in which sense, this church may therefore fitly be styled *roman-catholic*, being an *universal body*, united under *one visible head*<sup>e</sup>.—

Nevertheless,

6. It is *no matter of faith* to believe that the *pope* is in himself *infallible*, separated from the *but not infallible*.

<sup>c</sup> John, xiv. 16. 26.

<sup>d</sup> Matt. xvi. 17, &c.—Luke, xxii. 32.—John, xxi. 15, &c.

<sup>e</sup> Eph. iv. 11, &c.

---

4. Dr. C. ends with *peace and good government*; and Mr. B. observes in a note, that he dislikes the word *damnable*, as it conveys no idea, or if any, says too much; but lets it stand to show how desirous our ancestors were, by the most emphatical language, to express their detestation of the  *papal deposing power*.

church, even in *expounding the faith*: by consequence, *papal definitions* or *decrees*, in whatever form pronounced, taken exclusively from a *general council*, or *universal acceptance of the church*, obliges none, under *pain of heresy*, to an interior assent.

Nor hath  
any tem-  
poral au-  
thority  
over  
princes.

7. Nor do catholics, as *catholics*, believe that the *pope* has any direct or indirect *authority* over the *temporal power* and jurisdiction of *princes*. Hence, if the *pope* should pretend to *absolve* or *dispense* with his majesty's subjects from their *allegiance*, on account of *heresy* or *schism*, such *dispensation* would be *vain* and *null*; and all catholic subjects, notwithstanding such *dispensation* or *absolution*, would be still bound in conscience to defend their king and country<sup>f</sup>, at the hazard of their lives and fortunes, (as far as protestants would be bound,) even *against the pope* himself, in case he should invade the nation.

The church  
not respon-  
sible for  
the errors  
of particu-  
lar divines.

8. As for the *problematical disputes*, or errors of particular divines, in this or any other matter whatsoever, we are no wise *responsible* for them; nor are catholics, as *catholics*, justly *punishable* on their account. But,

King-kill-  
ing doc-  
trine impi-  
ous and  
execrable.

9. As for the *king-killing doctrine*, or murder of princes excommunicated for heresy, it is universally admitted in the catholic church, and expressly so declared by the council of *Constance*<sup>g</sup>, that such doctrine is *impious* and *execrable*, being contrary to the known *laws* of God and nature.

10. *Personal misdemeanors*, of what nature soever,

<sup>f</sup> 1 Peter, ii. 12, &c. <sup>g</sup> Sess. 15.

19. To be imputed to the body of catholics—*tares* of catholic faith and doctrine. Dr. C.—These stories are *said* to be *mis-related*: for there is *no truth* in either, as ascribed to the Irish or English catholics at large. Mr. B.

ought not to be *imputed* to the catholic church, when not justifiable by the *tenets* of her faith and doctrine. For which reason, though the stories of the *Irish cruelties* or *powder plot*, had been exactly true, (which yet, for the most part, are notoriously mis-related,) nevertheless catholics, as such, ought not to suffer for such *offences*, any more than the eleven apostles ought to have suffered for the *treachery of Judas*.

11. It is a *fundamental truth* in our religion, that *No power on earth can license men to lie, to forswear, or perjure themselves, to massacre their neighbours, or destroy their native country, on pretence of promoting the catholic cause or religion*: furthermore, *all pardons or dispensations granted, or pretended to be granted, in order to any such ends or designs, could have no other validity or effect, than to add sacrilege and blasphemy to the above-mentioned crimes.*

12. The doctrine of *equivocation* or *mental reservation*, however wrongfully imputed to the church, was never taught, or approved by her, as any part of her belief: on the contrary, *simplicity and godly sincerity* are constantly inculcated by her as truly *christian virtues*, necessary to the conservation of *justice, truth, and common security*.

---

12. Imputed to the catholic religion, was never taught, or approved of by the church:

## SECTION III.

*Of other Points of Catholic Faith.*

Of the sacraments. 1. We believe, that there are *seven sacraments*, or sacred ceremonies, instituted by our Saviour Christ, whereby the *merits* of his passion are *applied* to the soul of the worthy receiver.

Of sacramental absolution. 2. We believe, that when a sinner<sup>a</sup> repents of his sins from the *bottom of his heart*, and *acknowledges* his transgressions to *God and his ministers*<sup>b</sup>; *the dispensers of the mysteries of Christ*, resolving to turn from his evil ways, *and bring forth fruits worthy of penance*<sup>c</sup>; there is then, and *no otherwise*, an authority left by Christ to *absolve* such a *penitent sinner* from his sins: which authority, we believe, Christ gave to his *apostles* and their *successors*, the *bishops* and *priests* of his church, in those words, when he said, *Receive ye the Holy Ghost; whose sins you shall forgive, they are forgiven unto them, &c.*

Of satisfaction by penitential works. 3. Though no creature whatsoever can make condign *satisfaction*<sup>d</sup>, either for the *guilt* of sin, or the *pain eternal* due to it; this *satisfaction* being proper to Christ our Saviour only<sup>e</sup>; yet *penitent sinners*, redeemed by Christ, may, as *members of Christ*, in some measure<sup>f</sup> *satisfy* by prayer, fast-

<sup>a</sup> 2 Cor. vii. 10.<sup>b</sup> Acts, xix. 18.—1 Cor. iv. 1.<sup>c</sup> Luke, iii. 8.<sup>d</sup> John, xx, 22, 23.—Matt. xviii. 18.<sup>e</sup> Tit. iii. 5.<sup>f</sup> 2 Cor. iii. 5.<sup>g</sup> Acts, xxvi. 20.—Luke, xi. 41.—Acts, x. 4.

1. This controverted point is not mentioned in the original edition. It is noticed by Dr. C. in No. 2. Sect. 1.

2. Every catholic believes—fruits worthy of repentance; there is then and not otherwise.

3. Than as joined to and applied with. Dr C.

ing, alms-deeds, and other works of piety, for the *temporal pain*, which in the order of divine justice sometimes remains due, after the *guilt* of sin and *pains eternal* have been remitted. Such *penitential works* are, notwithstanding, no otherwise *satisfactory* than as *joined* and applied to that *satisfaction*, which Jesus made upon the cross, in virtue of which *alone* all our good works find a grateful acceptance in the sight of God<sup>b</sup>.

4. The *guilt of sin*, or *pain eternal* due to it, is Indulgences are not remitted by what catholics call *indulgences*; but only such *temporal punishments*<sup>i</sup> as remain due after the guilt is remitted:—these *indulgences* being nothing else than a *mitigation*<sup>k</sup> or *relaxation*, upon just causes, of *canonical penances*, enjoined by the pastors of the church on penitent sinners, according to their several degrees of demerit.—

And if abuses or mistakes have been sometimes committed, in point either of gaining *indulgences*, through the remissness or ignorance of particular persons, contrary to the ancient custom and discipline of the church; such abuses or mistakes cannot rationally be charged on the church, or rendered matters of derision, in prejudice to her faith and discipline.

5. Catholics hold there is a *purgatory*; that is to say, a place, or state, where souls departing this life, with remission of their sins, as to the eternal guilt or pain, but yet *obnoxious* to some temporal punishment, of which we have spoken, still remaining due, or not perfectly freed from the blemish of

<sup>b</sup> 1 Peter, ii. 5.

<sup>i</sup> 1 Cor. v. 3, &c.

<sup>k</sup> 2 Cor. ii. 10.

Abuses  
herein not  
to be  
charged on  
the church.

There is a  
purgatory,  
or state  
where  
souls de-  
parting this  
life with  
some blem-  
ish, are  
purified.

4. Those indulgences—or relaxation of the canonical penances—abuses and mistakes—cannot reasonably be charged.—  
Dr. C.

## APPENDIX.

some *defects*<sup>1</sup> or *deordinations*, are *purged*<sup>m</sup> before their admittance into heaven, where nothing that is *defiled*<sup>n</sup> can enter. Furthermore,

Prayers for the dead available to them. 6. Catholics also hold, that such souls so detained in *purgatory*, being the *living members* of Christ Jesus, are *relieved* by the *prayers*<sup>o</sup> and *suffrages* of their *fellow-members* here on earth: but where this place is; of what nature or quality the pains are; how long souls may be there detained; in what manner the *suffrages* made in their behalf are applied; whether by way of *satisfaction* or *intercession*, &c. are questions superfluous and impertinent as to faith.

Of the merit of good works through the merits of Christ. 7. No man, though *just*<sup>p</sup>, can merit either an increase of sanctity in this life, or eternal glory in the next, independently on the merits and passion of Christ Jesus: but the *good works*<sup>q</sup> of a just man proceeding from *grace* and *charity*, are so far *acceptable* to God, through his goodness and sacred *promises*, as to be truly *meritorious* of eternal life.

Christ really present in the sacrament of the Eucharist. 8. It is an article of catholic belief, that in the most holy sacrament of the *Eucharist*, there is truly and really contained the *body*<sup>r</sup> of Christ, which was *delivered for us*; and his *blood*, which was *shed for the remission of sins*; the substance of *bread* and *wine* being, by the powerful words of Christ, *changed into the substance of his blessed body and blood*;

<sup>1</sup> Matt. xii. 36.      <sup>m</sup> 1 Cor. iii. 15.      <sup>n</sup> Rev. xxi. 27.  
<sup>o</sup> 2 Macab. xii. 42, &c.—1 John, v. 16.      <sup>p</sup> John, xv. 5.  
<sup>q</sup> Matt. xvi. 27.—2 Cor. v. 10.—2 Tim. iv. 8.  
<sup>r</sup> Matt. xxvi. 26, &c.—Mark, xiv. 22, &c.—Luke, xxii. 19, &c.—1 Cor. xi. 23, &c.

6. Are questions, which do not appertain to faith. Dr. C.—  
 8. It is an article of the catholic faith—by the power of Christ, changed—appearances of bread and wine still remaining. Dr. C.

the *species* or appearances of *bread* and *wine*, by the will of God, remaining as they were. But,

9. Christ is not present in this sacrament, according to his *natural* way of existence, or rather as *bodies* naturally exist, but in a manner proper to the character of his exalted and *glorified* body: his presence then is *real* and *substantial*, but  *sacramental*; not exposed to the external senses, or obnoxious to corporal coartingencies.

10. Neither is the body of Christ, in this holy sacrament, *separated* from his blood, or his blood from his body, or either of them disjoined from his soul and divinity; but all and whole *living Jesus* is *entirely* contained under *either* species: so that whosoever receives under *one kind* is truly partaker of the *whole* sacrament; he is not deprived either of the body or the blood of Christ. True it is,

either of the body or blood of Christ.

11. Our Saviour left unto us his body and blood, under two *distinct species*, or kinds; in doing of which he instituted not only a *sacrament*, but also a *sacrifice*<sup>1</sup>; a *commemorative sacrifice*, distinctly *showing*<sup>2</sup> his death and bloody passion, *until he come*. For as the *sacrifice* of the cross was performed by a distinct *effusion of blood*; so is that sacrifice commemorated in that of the *altar*, by a

Of the sacrifice of the mass.

<sup>1</sup> John, vi. 48, &c. <sup>2</sup> Luke, xxii. 19, &c. <sup>3</sup> 1. Cor. xi. 26.

9. Way of existence, that is, with extension of parts, &c. but in a *supernatural* manner; one and the same in many places: his presence, therefore, though *real* and *substantial*, is *sacramental*. Dr. C.

10. Or either of them disjoined from—under *each species*—and no ways deprived. Dr. C.

11. Effusion of blood from the body. Dr. C.

*distinction of the symbols.* Jesus therefore is here given, not only to *us*, but for *us*; and the church thereby is enriched with a true, proper, and propitiatory sacrifice, usually termed the *mass*.

Worship of images wrongfully imposed on catholics. Yet there is some veneration due both to pictures,

and other sacred things.

12. Catholics renounce all *divine worship* and adoration of *images* and *pictures*; God alone we *worship and adore*<sup>z</sup>; nevertheless we place pictures in our churches<sup>y</sup>, to reduce our wandering thoughts, and to enliven our memories towards *heavenly things*. Further, we show a certain *respect* to the images of Christ and his saints, beyond what is due to every profane figure; not that we can believe any *divinity* or virtue to reside in them, for which they ought to be honoured, but because the honour given to pictures is referred to the *prototype*, or thing represented. In like manner,

13. There is a kind of honour and respect due to the *bible*, to the *cross*, to the name of *Jesus*, to *churches*, to the  *sacraments*, &c. as things peculiarly appertaining to God<sup>z</sup>; and to *kings*, *magistrates*, and *superiors*<sup>z</sup> on earth: to whom honour is due, honour may be given, without any derogation to the majesty of God, or that divine worship which is appropriate to him. Moreover,

\* Luke, iv. 8.

<sup>y</sup> Exod. xxv. 18.—Numb. xxi. 8.—Luke, iii. 22.—Acts, v. 15.

<sup>z</sup> Exod. xxv. 18.—Josue, vii. 6.—Phil. ii. 10.—Acts, xix. 12.

\* 1 Pet. ii. 17.—Rom. xiii. 7.

12. And excite our memory—we allow a certain honour to be shown to the images—beyond what is due to profane figures. Not that we believe. Dr. C.

13. Also to the glorious saints in heaven\*, as the friends of God; and to kings—without derogating from the majesty. Dr. C.

\* John, xii. 26.

14. Catholics believe, that the blessed saints in *Prayer to heaven*, replenished with charity, *pray<sup>b</sup>* for us <sup>saints law-ful</sup> their *fellow-members* here on earth; that they *re-joice at our conversion<sup>c</sup>*; that seeing God<sup>d</sup>, they *see and know in him all things suitable to their happy state*: but God may be inclined to hear their *requests* made in our behalf, and for their sakes may grant us many *favours<sup>e</sup>*; therefore we believe that it is *good and profitable to desire their intercession*. Can this manner of *invocation* be more injurious to Christ our *mediator*, than it is for one christian to beg the *prayers<sup>f</sup>* of another here on earth? However, catholics are not taught <sup>not to neglect our duties.</sup> Yet so as so to rely on the *prayers* of others, as to neglect their own<sup>g</sup> *duty* to God; in *imploring his divine mercy and goodness*; in mortifying the *deeds of the flesh<sup>h</sup>*; in *despising the world<sup>i</sup>*; in *loving and serving God<sup>k</sup>* and their neighbour; in following the *footsteps of Christ our Lord*, who is the *way, the truth, and the life<sup>l</sup>*; to whom be honour and glory for ever and ever. Amen.

<sup>b</sup> Rev. v. 8.<sup>c</sup> Luke, xv. 7.<sup>d</sup> 1 Cor. xiii. 12.<sup>e</sup> Exod. xxxii. 13.—2 Chron. vi. 42.<sup>f</sup> Rom. xv. 30.<sup>g</sup> Jam. ii. 17, &c.<sup>h</sup> Rom. xiii. 14.<sup>i</sup> Rom. xii. 2.<sup>k</sup> Gal. v. 6.<sup>l</sup> John, xiv. 6.

---

14. That God may be inclined—and that this manner of invocation is no more injurious—the *prayers* of another in this world. Notwithstanding which, catholics are not taught—in mortifying the *flesh and its deeds*. Dr. C.

NOTE II; referred to in page 192.

*The Symbol of Pius the Fourth.*

A succinct and explicit summary of the doctrines contained in the canons of the council of Trent, is expressed in the creed which was published by Pius the fourth in 1564, in the form of a bull, and usually bears his name. It is received throughout the whole roman-catholic church: every roman-catholic who is admitted into the catholic church, publicly reads and professes his assent to it.

The tenor of it is as follows: "I, N. believe and profess, with a firm faith, all and every one of the things which are contained in the symbol of faith, which is used in the holy roman church, viz.

"I believe in one God, the Father Almighty, maker of heaven and earth, and of all things visible and invisible; and in one Lord Jesus Christ, the only begotten Son of God, light of light, true God of true God, begotten, not made, consubstantial to the Father, by whom all things were made; who, for us men, and for our salvation, came down from heaven, and was incarnate by the Holy Ghost, of the Virgin *Mary*, and was made man; was crucified also for us under *Pontius Pilate*, suffered, and was buried, and rose again the third day, according to the scriptures, and ascended into heaven, sits at the right hand of the Father, and will come again with glory to judge the living and the dead, of whose kingdom there will be no end: and in the Holy Ghost, the Lord and Life-giver, who proceeds from the Father and the Son; who, together with the Father and the Son is adored and

“ glorified; who spoke by the prophets. And one holy  
“ catholic and apostolic church. I confess one bap-  
“ tism for the remission of sins, and I expect the resur-  
“ rection of the body, and the life of the world to  
“ come. Amen.

“ I most firmly admit and embrace apostolical and  
“ ecclesiastical traditions, and all other constitutions  
“ and observances of the same church.

“ I also admit the sacred scriptures according to the  
“ sense which the holy mother church has held, and  
“ does hold, to whom it belongs to judge of the true  
“ sense and interpretation of the holy scriptures; nor  
“ will I ever take and interpret them otherwise than  
“ according to the unanimous consent of the fathers.

“ I profess also, that there are truly and properly  
“ seven sacraments of the new law, instituted by Jesus  
“ Christ our Lord, and for the salvation of mankind,  
“ though all are not necessary for every one; viz. bap-  
“ tism, confirmation, eucharist, penance, extreme une-  
“ tion, order, and matrimony; and that they confer  
“ grace; and of these, baptism, confirmation, and order,  
“ cannot be reiterated without sacrilege.

“ I also receive and admit the ceremonies of the  
“ catholic church, received and approved in the solemn  
“ administration of all the above said sacraments.

“ I receive and embrace all and every one of the  
“ things which have been defined and declared in the  
“ holy council of Trent, concerning original sin and  
“ justification.

“ I profess, likewise, that in the mass is offered to God  
“ a true, proper, and propitiatory sacrifice for the living  
“ and the dead; and that in the most holy sacrament of  
“ the eucharist, there is truly, really, and substantially  
“ the body and blood, together with the soul and divinity  
“ of our Lord Jesus Christ; and that there is made a  
“ conversion of the whole substance of the bread into

“ the body, and of the whole substance of the wine into  
“ the blood ; which conversion the catholic church calls  
“ transubstantiation.

“ I confess also, that under either kind alone, whole  
“ and entire, Christ and a true sacrament is received.

“ I constantly hold that there is a purgatory, and that  
“ the souls detained therein, are helped by the suffrages  
“ of the faithful.

“ Likewise, that the saints reigning together with  
“ Christ, are to be honoured and invocated, that they  
“ offer prayers to God for us, and that their relics are  
“ to be venerated.

“ I most firmly assent, that the images of Christ, and  
“ of the Mother of God ever virgin, and also of the  
“ other saints, are to be had and retained ; and that due  
“ honour and veneration are to be given to them.

“ I also affirm, that the power of indulgences was  
“ left by Christ in the church ; and that the use of them  
“ is most wholesome to christian people.

“ I acknowledge the holy catholic and apostolic  
“ roman church, the mother and mistress of all churches ;  
“ and I promise and swear true obedience to the  
“ roman bishop, the successor of St. Peter, prince of  
“ the apostles, and vicar of Jesus Christ.

“ I also profess and undoubtingly receive all other  
“ things delivered, defined, and declared by the sacred  
“ canons and general councils, and particularly by the  
“ holy council of Trent ; and likewise I also condemn,  
“ reject, and anathematize all things contrary thereto,  
“ and all heresies whatsoever, condemned and anath-  
“ matized by the church.

“ This true catholic faith, out of which none can be  
“ saved, which I now freely profess, and truly hold,  
“ I, N. promise, vow, and swear most constantly to  
“ hold and profess the same whole and entire, with God’s  
“ assistance, to the end of my life. Amen.”

SINCE the preceding sheets were printed, the writer of them has seen the "Travels of Cosmo the third, grand duke of Tuscany, through England, during the reign of king Charles the second, (1669) translated from the Italian manuscript in the Laurentian library at Florence, 4to. London, 1821."—A manuscript relation of the travels of the grand duke through different parts of Europe, is contained in two large volumes deposited in the Laurentian library. That part of them, which relates to his travels in England, is contained in the present publication. A memoir of his life is prefixed, and the work is illustrated by a portrait of his highness, and by thirty-nine plates of different places in which he was received. La Lande, (*Voyage en Italie*, tom. ii. p. 286) mentions the original, and says, "Je ne vois aucun exemple, si ce n'est celui du czar Pierre le grand) d'un prince, qui a voyagé avec tant de curiosité, de gout, et d'utilité." We shall here insert the account given in this work, of the condition of the English catholics, at the time of the visit of his highness to this country. It accords with the citations in this volume from father Leander and signor Panzani:

"The catholic religion still exists in England, though without the power of showing itself openly. The semi-public exercise of it is tolerated in the queen's chapel at St. James's, and in that of the queen mother at Somerset-house, and in the oratories of the catholic princes. To these places there is free access, except when, at the instigation of parliament, the decrees of queen Elizabeth against catholics are renewed. On those occasions people go to them with greater caution, that they may not render themselves liable to the severity of the above laws, and secretly avail themselves in their own houses of the services

“ of missionary priests, who are maintained by the catholic families to administer to their spiritual wants.  
“ The king moreover, whose business it is to enforce these harsh measures, suspends the execution of it, either from political reasons, or to gratify the good disposition of the catholic queen his wife, from whose exemplary conduct, those catholics who live in England, either openly or secretly, derive no small advantage in evading the rigour of the punishment attached to all who do not conform to the heresy of the kingdom.

“ A considerable number of priests of either order, both secular and regular, watch over the spiritual concerns of the catholics. They are divided into several companies; and are very attentive to the fulfilment of their duties. The first are English or Irishmen, eminent for their zeal and learning, who have been educated and instructed in the seminaries founded for the youths of those nations in Rome, in Spain, and in Flanders, where they attend equally to the study of religion and literature. These receive instruction for the proper management of their respective charges from an ecclesiastic, whom they call the head of the clergy, who is established in England, almost with the authority of an ordinary. He communicates to other coadjutors, his deputies, in various parts of the kingdom, a power resembling his own, or more limited, as it may happen; all of them, however, are, in the first instance, subordinate to the nuncio in France, and, at present, to the internuncio in Flanders, to whom, as being nearer to these parts, the superintendence of the missions of England and Ireland has been entrusted; and this he retains in conjunction with that which he before had over that of the United Provinces. The regulars are subject to the government of their own prelates, who appoint

“ them to such particular missions as belong to their  
“ respective orders.

“ There are many religious of the orders of St. Bene-  
“ dict, of St. Augustin, of St. Dominic, of St. Francis,  
“ and of the society of Jesus, who perform their spiri-  
“ tual duties towards the catholics with much fervor,  
“ encouraging them to preserve in their manners the  
“ purity of the ancient faith, which, as far as the lower  
“ orders are concerned, is at present kept up princi-  
“ pally by those who live in the country, and have re-  
“ tired thither to avoid the persecutions which heresy  
“ is perpetually stirring up in the city, where almost  
“ the whole of the populace is infected by its contagion.  
“ Various disputes arise among the missionaries; the  
“ seculars thinking that the regulars extend their privi-  
“ leges further than they ought; and these, on the  
“ other hand, complaining that the seculars impede  
“ them in the exercise of their missions. The greatest  
“ complaints are against certain jesuits, because, under  
“ the pretence of their peculiar privileges, they are de-  
“ sirous to administer the missions, without recognizing  
“ any other superiority in this kingdom than that which  
“ is set over them by their own society. This is the  
“ cause of the dissensions which, in no small degree,  
“ disturb this pious ministry, both in England and  
“ Holland: on which account, appeals are constantly  
“ coming from both parties, not only to the apostolic  
“ minister in Flanders, but to the congregation at  
“ Rome, being carried thither by the queen's grand  
“ almoner, and the heads of the English clergy, of both  
“ descriptions, and by the bishop of Chartres, apostolic  
“ vicar of the United Provinces.

“ To avoid the further exasperation of these discor-  
“ dant spirits, to the great detriment of the holy faith,  
“ gentle and moderate measures are adopted, such as  
“ serious admonitions and exhortations to unanimity;

“ and to settle the differences at once, it has been  
“ wished at Rome to consecrate, as titular bishop in  
“ England, some ecclesiastic of integrity and talent, a  
“ native of the kingdom, who may watch over the mis-  
“ sions in the same manner as is done in Holland. For  
“ this purpose, they cast their eye upon Philip Howard,  
“ grand almoner to the queen, having ascertained that  
“ the king was no way averse from such a step; but  
“ the affairs of the kingdom being in a condition not  
“ very favourable to the catholics, owing to the invete-  
“ racy of the parliament, it was thought unseasonable,  
“ and was judged more prudent, the same having been  
“ hinted by the king, to put off the execution of such a  
“ proceeding to some other more favourable opportu-  
“ nity. In the mean time, the bishops of Ireland per-  
“ form the episcopal functions for the benefit of the  
“ catholics, and come over occasionally to exercise their  
“ charge in the best manner in their power.”

---

END OF VOL. III.

---



